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PHILIP HOWARD, EARL OF ARUNDEL, MARTYR

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CATHOLIC RECORD SOCIETY

THE VEN. PHILIP HOWARD EARL OF ARUNDEL

1557—1595

ENGLISH MARTYRS VOL. II

COLLECTED AND EDITED BY
JOHN HUNGERFORD POLLEN, S.J.
AND WILLIAM MACMAHON, S.J., M.A.

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INTRODUCTION.

The first point which will strike a reader of the life of the Venerable Philip Howard is the greatness of his fall. He was born to the highest hereditary dignity in the land, after the crown; brought up under official tutors, be-fathered by the all-powerful Lord Burghley, honoured by his university, and launched with distinction in his career at court. Then a change ensues. He suddenly falls under suspicion, is confined to his house, and for all his proofs of innocence, only freed after long restraint, and with grave warnings. Next year he is imprisoned in the Tower, next condemned by the Star Chamber, next sentenced at Westminster Hall to the appalling death for high treason, and under this sentence he pines and dies a martyr's death in his Tower cell at the early age of thirty-eight.

The explanation of it all is that he had become a Catholic, and was, after the execution of Queen Mary Stuart, the highest representative of that faith in England.

When Catholicity was discovered in Lord Arundel's household, his servant Law, and his uncle Lord Buckhurst, fill the ears of the persecutors with false informations (pp. 43, 337). Nicholas Berden, a professional spy, attaches himself to the Earl's fortunes, so far as is necessary for the regular sending in of every malignant suspicion he can gather (pp. 66 to 93). A coiner like Greene (p. 162) reckons on favour by informing against the Earl's friend. Eventually, from Ireland and Scotland, from France and Flanders, from every side false witnesses arise to defame and to condemn (pp. 262, 306). We have no complete record of the measures taken by Leicester (pp. 57, 62, 159) and Walsingham (pp. 129, 337), by Elizabeth (pp. 111, 218, 331) and Cecil against their victim. What we hear is not always very reliable; but taking all together, its significance is not doubtful.

Tried twice for the same offence (pp. 139, 232), the procedure was in essentials the same in both cases. The crown prosecutors, backed by the judges, endeavoured to overwhelm their victim by every conceivable advocate's trick. In regard to what may be called the machine-gun fire of smaller charges, we fortunately have a document, which we call Popham's Brief (p. 289), a study of which shows clearly how utterly void of truth and relevancy the bulk of these charges were. Again, in regard to the "Alleged Bull," the government dishonesty stands out with startling clearness. In regard, however, to

one important point, we must confess that the evidence at our disposal is still deficient.

The central problem of the trial was the alleged Prayer for the Spanish Fleet. This was "most odious" to Protestants (p. 343), and much discussed by Catholics (p. 298): but obscurity still hangs over the fact. While treasonable words were affirmed by two witnesses after delay, tergiversation and apology, they were strongly denied by the Earl, who gave good reason for so doing; but he was unable to give any account of how the charge had arisen. Under these circumstances, the reader will find it useful to have the more important particulars set forth seriatim.

After the death of Mary Stuart, the Catholic party in England was evidently much weakened. The fears of the fanatics began to calm down, and the Catholic prisoners were less rigorously watched. They used their liberty to get more masses and prayers said, especially as the fateful hour drew near, when the English and Spanish fleets would engage. For whatever the issue of the combat, the result to them might be equally fatal. Threats of universal massacre had been heard, if the Spaniards (p. 190) should effect a landing (pp. 215, 339), and as a fact, even after the Spanish defeat, a massacre of priests, the greatest of which we have record, immediately took place. Never, then, were prayers for Divine aid more in place than at this dread crisis.

Meanwhile, the persecutors, to guard against suspected danger, had confined a spy among the other prisoners. He went by the name of John Snowden,* and we should be glad to know more about him, for he may have been a *provocateur*, as well as a spy. He may have arranged for some of the prayers and masses, at the period of the crisis, which he afterwards betrayed. All that is at present known is that he betrayed masses, and that, when these masses were inquired into, the prayers also were discovered. But at first the Earl's name was not openly connected with them.

William Waad, the future persecutor of Raleigh, now carried Snowden's wicked work a step further, by using them to terrorise the nervous old priest William Bennet. He had been locked up in the cell immediately below the Earl; and (as was no doubt expected by those who placed him there) had begun to act as the Earl's chaplain, though far unfitted for the post. For even if he was well intentioned,

* The name John Snowden occurs again as a spy on Catholics a year or two later, in 1591. The question cannot but arise—were they the same person? It seems not, for the earlier spy was certainly in the Tower from January, to September, 1588, and he was at the Earl's trial in April, 1589. But John Cecil, who was afterwards one of the Appellant priests, and came to England in 1591 (*below* p. 171) under the name Snowden, was certainly at Rome throughout 1588. See *D.N.B.*, C.R.S. xiv., p. 2; and Pollen, *The Archpriest Blackwell*, 1916, p. 68.

he was disastrously weak. He had before failed grievously under fear, and had betrayed others: and now he was so liable to be upset, that the Earl could not tell him serious news, lest it should quite unman him. There is also in this trembling creature a distinct habit of cunning, which will make him only too apt a tool in Waad's unscrupulous hands (pp. 196–207).

In "extreme terror and fear" at Waad's discoveries (p. 201), and overcome by the dread words "the queen will know the truth" (p. 204), Bennet not only told the persecutors all he knew, but also (as fear-ridden persons are wont to do, who believe there are dangers in every shadow) details which were presumably rather imagined than seen or heard. After the *Apology* his dishonesty becomes clear (p. 198). He steadily aggravates the case against the Earl. In his *Apology*, he owns that he was from the first, "stroken in a maze and astonishment" at Snowden's discovery. Then Waad plied him "with many terrible threats of death, Tower and torment, mixed with many fair speeches and promises." Finally, "I was demanded whether I did know or was privy unto a note, which [the Earl] should send unto the priests in Coleharbour, *to pray for the good success of the Spanish fleet.*" (p. 198).

The first thing to remark here is that Waad is putting the words "Prayers for the Spanish fleet" into Bennet's mouth. As we shall see, much, almost everything, turns on the form of words, and this form (so far as our documents go) originates with Waad. The Earl's prayers were generally for "The Catholic Cause"; but with their usual forcefulness, the Tudor lawyers declared at the trial that this "*must needs mean*, 'for the invasion of the realm': it could 'not be meant for converting by instruction,' but 'by force of invasion'" (pp. 267*n*, 269*n*). So here the Tudor official is forcing Bennet by initiative, threat and cajolery to agree to and to use the words, "Prayers for the Spanish Fleet." Does this inspire confidence?

In his *Discourse*, Waad prepares the minds of his readers for Bennet's answer, by an oracular summons "to recognise God's goodness in revealing to her Majesty practices, conspiracies and treasons" (p. 178). In an impartial inquiry we should take a different bearing, and keep our eyes open for the circumstances which he has suppressed. In Bennet's *Apology*, for instance, we find this hint. "I confessed everything that seemed to satisfy their humour, which I perceived not at first altogether to tend to the ruin of your honour," *i.e.*, of the Earl (p. 198).*

* The confessions of another nervous priest, Anthony Tyrrell, are given at p. 153. Here again, without any torture being applied, at the mere terror of being in the hands of men capable of applying it, we see the same diseased readiness "to satisfy their humour," leading to long accusations against the Earl, which, however, were afterwards retracted.

As nervous people often retain a certain wiliness even in their agitation, so Bennet confessed to Waad the desired words, " Prayers for the Spanish fleet," but denied the note, and added his excuse for himself. He said that the Earl had indeed asked him to say a mass of the Holy Ghost for the Spanish fleet, but that he had suggested and carried the saying of a different mass, that *ad tollendum schisma*. This was a common mass which, therefore could not well be objected to. Bennet repeated these words frequently, and ended, no question, by believing what he said.

But is his evidence as to the Earl's words good ? The Earl strongly and repeatedly denied having used them, both in public and in private, to his wife and to Father Southwell, adding a natural and convincing circumstance—" That he was so newly made a Catholic, that he knew not that there was any such mass as that of the Holy Ghost." But his actual words he could not recall. He remembered indeed that he had " wished well to the Spaniards," and no doubt there were many forms, in which he might without disloyalty have done this. So the question of his words still rests in uncertainty, though it is not doubtful that his habitual mood was all that could be legitimately expected from a loyal subject, ready in a righteous war to serve even against the Pope (see pp. 214–217). Bennet and Gerard are not good witnesses as to the Earl's words. Bennet's evidence is not only vitiated from the first by Waad's violence ; his *Apology* joined with his letter to Waad which followed, p. 198, ruin his credit altogether. Both documents no doubt have suspicious points. But as neither can be explained away, so taken together they must bring entire discredit on this witness. Gerard's evidence, *considered in its circumstances*, also lacks authority. For he refused to confirm Bennet's words for several months, though willing on other points to speak against the Earl. Only after the discreditable " Joint confessions " did he, as it were, swallow Bennet's version whole, and swear to his very words. It is for the reader to ask himself if he can trust these men on the very point where they give way to violence, and contradict themselves, apologise, and swear in other people's words ? He must also remember the uniform denial of the Earl, backed with several corroborative circumstances, one more of which may now be added.

We have a record of certain words used by the Earl on a previous occasion without any suspicion of disloyalty (p. 31). But if they had been repeated in 1588, or even if similar terms had been then used, the effect upon Bennet might easily have been exactly similar to that which we in fact find.

We have it that the Earl told Drake to his face that " Philip was the greatest monarch there had been on earth, and that he was strong

enough to make war on all the princes of the world." That it was not *comme il faut* for Drake to say, "that he was the man to fight him."

If we look at the circumstances, the date, the company described on p. 31, we shall see that no shadow of disloyalty attached to the speaker. But the man who would speak thus boldly in 1582, when still a Protestant, might possibly enough, in 1588, have uttered some similar sentiment. Though blameless in itself, such a statement might easily shock the agitated and somewhat perverse mind of Bennet. And when he came to make his deposition about it, his version might easily have been as unreliable as, in the estimation of the Earl, his actual words were.

Another feature of the volume must be noted here. We are listening to hostile evidence on almost every page; and sometimes the records are distorted by bitter malice, as, for instance, the indictment and the reports of the trial. Corrections are not unfrequently (yet by no means everywhere) pointed out in notes: but the reader must not only prevent himself from being carried away by every speaker, he should also be more than usually ready to use his own judgment on the evidence alleged.

No attempt is made here or on any other page to write a life of the Earl; but by the help of his itinerary (p. 349), and of 27 small chronologies up and down the volume, of the index, and of the table of contents, it should be easy to see how the evidence, here brought together, illustrates the different phases of his career. Under 72 headings, which often have their own introductions, 127 new documents are printed; and besides these, a score or two are reproduced from printed sources. A few shorter papers, or such as are less intimately connected with the Earl, are reproduced in abstract. On important points, where no original documents whether new or old was forthcoming, the *Life* of 1630 has been cited.

Whilst both the editors have worked at one time or another over the whole volume, Father MacMahon was called to Switzerland, on the service of his Order, before half of the volume was set up in type. Owing to war conditions, which have in so many ways hampered the progress of this volume, his collaboration was then perforce terminated: and by consequence, the final care of the whole has remained with Father Pollen, and especially that over the second half.

Very hearty thanks are returned to every one who has helped, though it is impossible to enumerate all here. Thanks especially are due to Lady Calthorpe, for permitting access to the Yelverton Manuscripts, which, from the record point of view are, perhaps, the most important source here made accessible. His Lordship the Bishop of Brentford, a

member of our Society, the Hon. Mrs. Maxwell Scott, and Father P. Ryan, S.J., have given valuable assistance by proof reading and in other ways. An especial debt of gratitude, moreover, is due to the late Duke of Norfolk, without whose constant and friendly encouragement the volume would hardly have been undertaken. To her Grace the Duchess our obligations are also considerable, for the pains and trouble taken in looking out the pictures, the copies of which are now in the reader's hands. Our thanks are similarly due to our member Sir Henry Jerningham, and to Mr. Francis Wellesley for the like kind services.

31, Farm Street, W.1., January, 1919. J. H. Pollen, S.J.
8, Via S. Nicola da Tolentino, Rome. W. MacMahon, S.J.

P.S.—Since the above was in type the relaxation of war pressure has made access possible to various archives, in which research had been previously impracticable. This has enabled us to add Appendix VI, which comprises various letters from Hatfield House and elsewhere, previously only known in abstracts. Better still, we now have the Earl's will from Norfolk House, pp. 368–379. Not only is it original and unusual in form, but it gives indirectly a striking answer to the charge of disloyalty made against him.

CONTENTS.

PAGE

Introduction v

Chronologies. (1) Birth; (2) His Mother's Burial; (3) Act assuring Howard Property; (4) Marriage ... 1

I. Philip, E. of Surrey, to Ld. Burghley, 24 Sept., 1571 (R.O., *D.E.*, lxxi, 26) 2

II. Norfolk's last letters to his son Philip, (i) 20 Jan., 1572; (ii) 26 Jan.; (ii) 28 Jan.; (iv) Last Defence, 4 Feb. (B.M., *Harl.*, 787, 118); (v) Bible Letter, 11 Feb., (R.O., *D.E.*, lxxxv, 42) 3

III. Philip Howard to Ld. Burghley, 16 June, 1572 (R.O., *D.E.*, lxxviii, 18) 16

IV. (1) George Laughton to Ld. Burghley, 16 June, 1572 (R.O., *D.E.*, lxxviii, 19) 16

(2) Lord Surrey's Household, 12 Oct., 1571 (R.O., *D.E.*, lxxxi, 41) 18

V. (i) Philip Howard to Ld. Burghley, 4 May, 1573 (R.O., *D.E.*, xci, 22); (ii) Same to Same, 31 Dec., 1575 (B.M., *Lans.*, xx, 146) 19

Chronology. (5) Education 20

VI. Grace for degree of Master of Arts (*Athenæ Cantab.*, ii, 187) 21

Chronologies. (6) Earl as Courtier; (7) Earldom of Arundel; (8) House of Lords 21

VII. Act restoring the Earl in Blood (R.O., *Parliament Roll*, 172, 19) 24

Chronologies. (9) Public Offices; (10) Literary Dedications 25

VIII. French and Spanish Dispatches: (i) Castelnau to Henri III, 20 Nov., 1580 (R.O., *Transcripts from Paris*, 28, 289); (ii) Same to Same, 11 Jan., 1581 (R.O., *ibid.*, ff. 304–306); (iii) Mendoza to Philip II, 25 Dec., 1581 (from *Documentos Inèditos*, xcii, 220); (iv) Same to Same, 1 March, 1582 (*ibid.*, xcii, 303; (v) Same to Same, 6 March, 1582 (*ibid.*, xcii, 308) ... 28

Chronology. (11) B. E. Campion, Aug.–Sept., 1581 ... 32

IX. The Knyvett Affray, 18 June, 1582 (R.O., *D.E.*, cliv, 13) 33

X. (i) Countess of Arundel to Hatton, 20 Aug., 1582 (B.M., *Add.*, 15, 891, 72) 36

(ii) E. of Arundel to Ld. Burghley, 19 Oct., 1582 (*Hatfield Calendar*, ii, 1223) 37

Chronology. (12) Disturbances 37

XI. The Conveyance of Goods, 1 Aug., 1583 (R.O., *D.E.*, clxii, 1) 38

Chronologies. (13) Political crisis; (14) In Restraint, 1583–5 40

PAGE

XII. Castelnau to Catherine de' Medici, 1 Jan., 1584 (B.M., *Harl.*, 1582, 338)... 42

XIII. Declaration of George Law, 20 Dec., 1583 (R.O., *D.E.*, clxiv, 48) 43

XIV. Examination by Hunsdon, &c., 24 Dec., 1583 (R.O., *D.E.*, clxiv, 52, 53) 45

XV. Protest to Privy Council, 12 Jan., 1584 (R.O., *D.E.*, clxvii, 18) 48

Chronology. (15) Walsingham to Hatton, 30 Jan., 1584 (B.M., *Add.*, 15891, 126) 50

XVI. Government Reply, n.d. (R.O., *D.E.*, clxxviii, 31) ... 50

XVII. Countess examined, 9 April, 1584 (R.O., *D.E.*, clxx, 22 and 23) 52

Chronology. (16) Earl released, April, 1584 56

XVIII. (i) Countess to Walsingham, 10 June, 1584 (R.O., *D.E.*, clxxi, 15); (ii) Same to Same, 12 Sept., 1584 (R.O., *D.E.*, clxxii, 12) 56

XIX. Howard Traditions in Leicester's Commonwealth, 1584 57

XX. Informations of Nicholas Berden, the spy, nn. i to ix, March to May, 1585 (R.O., *D.E.*, clxxvii, clxxviii) ... 70

n. x, after 25 Sept., 1585 (B.M., *Harl.*, 286, 64); nn. xi to xvi, Sept., 1585, to Jan., 1586 (R.O., *D.E.*, *Add.*, xxix) 80

nn. xvii to xxii, May to Nov., 1586 (R.O., *D.E.*, clxxxvii to cxcv) 85

n. xxiii, n.d., (B.M., *Harl.*, 286, f. 99); nn. xxiv to xxvi, Feb. to March, 1588 (R.O., *D.E.*, ccix)... ... 86

XXI. James Hill to Walsingham, n.d. (B.M., *Harl.*, 286 f. 52) 93

XXII. Fr. Weston on Earl's Conversion (Stonyhurst, A. iv, 15) 95

Chronologies. (17) Attendances in Parliament; (18) Proposed as Hostage, 1585 98

XXIII. Letter to the Queen, 11–14 April, 1585 (B.M., *Titus*, B ii, 201) 99

XXIV. The Earl's Capture, April, 1585 (*Life*, 52) 108

XXV. French Dispatches, Castelnau to Henri III. (i) 26 April, 1585; (ii) 4 May; (iii) 11 May, (*Life of Egerton*, 202, 204, 205) 110

Chronology. (19) News abroad of capture 112

XXVI. Examined in Tower, 1 May, 1585 (*Life*, 57–63) 113

XXVII. Pressure and Compliance. (i) Walsingham to Hatton; (ii) Same to Same; (iii) Same to Same; (iv) Arundel to Hatton (B.M., *Add.* 15891, ff. 148, 153, 154) ... 115

XXVIII. Further Examinations. (i) Points for examining the Earl, 4 May, 1585; (ii) Ld. Wm. Howard examined, 11 May; (iii) Earl of Northumberland examined, 11 May; (iv) Dr. Atslow examined, 11 May; (v) Ld. Wm. Howard re-examined, 17 May; (vi)

PAGE

Contrarieties (B.M., *Egerton*, 2074, ff. 13, 29, 30, 32, 54, 39) 118

Chronology. (20) Earl of Northumberland 127

XXIX. Walsingham on further proceedings, 24 June, 1585 (R.O., *D.E.*, clxxix, 35) 129

XXX. Catholic Prisoners in Tower, n.d. (R.O., *D.E.*, clxxix, 62) 131

XXXI. John Arundell of Quarnock, 1 July, 1585 (R.O., *D.E.*, clxxx, 2) 133

Chronology. (21) Money seized with the Earl ...

XXXII. The Countess to Walsingham, 15 Aug., 1585 (R.O., *D.E.*, clxxxi, 46) 134

XXXIII. Rishton on the Earl's Imprisonment 135

XXXIV. Charges against Atslow, Somerset and Zubiaur, 12 Feb., 1586 (R.O., *D.E.*, clxxxvi, 61) 136

XXXV. Dacre Estates, 19 March, 1587 (R.O., *D.E.*, cxcix, 47) 137

XXXVI. Popham's Speech, 16 May, 1586 (R.O., *D.E.*, clxxxix, 28) 137

XXXVII. Proceedings in Star Chamber, 17 May, 1586 (*Yelverton*, xxxiii, 111) 138

Chronology. (22) The Babington Plot. 144

XXXVIII. Evidence relating to Arundel, (i) Correspondence between Babington and Mary Stuart, 6 and 17 July, 1586; (ii) Babington's Confessions, August (*Yelverton*); (iii) Queen Mary's Speech, 16 Oct.; (iv) Morgan's Correspondence, 1585, 1586... ... 146

Chronology. (23) Dacre Property, 2 Oct., 1586 ... 151

XXXIX. (i) Mylles to Davison, 9 Oct., 1586; (ii) Same to Same, 11 Oct.; (iii) Hopton to Hunsdon and Davison, 12 Oct. (Bodleian, *Tanner*, lxxviii, 12, 177, 175). 151

XL. Anthony Tyrrell, (i) Accusations and Retractions (Morris, *Troubles*, ii, 335, &c.); (ii) Confession cast into Arundel House, 13 Feb., 1587 (*Hatfield Calendar*, iii, 222) 153

XLI. E. of Arundel to Ld. Burghley, (i) 15 April, 1587; (ii) 11 May; (iii) 29 June (*Hatfield Calendar*, iii, 246, 253, 266); (iv) 9 July; (v) 13 July (R.O., *D.E.*, ccii, 51, 54); (vi) 21 July (*Hatfield Calendar*, iii, 268)... 157

XLII. Greene's Informations, 19 July, 1587 (B.M., *Harl.*, cclxxxvi, 116) 161

XLIII. R. Ardern's Advertisement, 1 March, 1588 (R.O., *D.E.*, ccix, 3) 163

XLIV. Seven Prisoners examined, 25 May, 1588 (R.O., *D.E.*, ccx, 30) 163

PAGE

Chronologies. (24) The Spanish Armada; (25) The Alleged Bull 165

XLV. (i) Killigrew to Ld. Burghley, 6 June, 1588 (R.O., *Holland*, xxiv, 68) 168

(ii) Burghley to Walsingham, 12 June (R.O., *D.E.*, ccxi, 15) 169

(iii) Same to Same, 24 June (R.O., *D.E.*, ccxi, 56) ... 170

(iv) Killigrew to Burghley, 2 July (R.O., *Holland*, xxv, 4) 171

(v) Whitgift to Mr. S. N., 27, 28 June (*Yelverton*, xxxiii, 96) 172

(vi) Valentine Dale to Q. Elizabeth, 12 July (B.M., *Vesp.*, cviii, 165) 172

Chronology. (26) Subsequent History of Alleged Bull 174

XLVI. Waad's Discourse (*Yelverton*, xxxiii, 73 *sqq.*) ... 175

XLVII. Confession of William Bennet, 16 Oct., 1588 (*ibid.*, xxxiii, 102) 185

XLVIII. Confession of Sir Thomas Gerard, 25 Oct., 1588 (*ibid.*, xxxiii, 81B) 187

XLIX. Examination in Tower, Oct., 1588, and Feb., 1589 (*Life*, 79) 190

L. Disorders of the Tower, 26 Oct., 1588 (R.O., *D.E.*, ccxvii, 61) 193

LI. Persons examined about the Tower (R.O., *D.E.*, cclxv, 135) 195

LII. Bennet's Apology, (i) Unsigned letter to Bennet, n.d.; (ii) Bennet to Arundel, n.d.; (iii) Randolf to Countess of Arundel (*Life*, 93); (iv) Bennet to [Waad], 15 Dec., 1588; (v) Confession of Bennet, 16 Dec.; (vi) Confession of Randolf, 16 Dec. (*Yelverton*, xxxiii, 82–96) 196

LIII. Gerard to Waad (*Yelverton*, xxxiii, 93B). 203

LIV. Joint Confessions, (i) 18 Feb., 1589; (ii) 18 Feb.; (iii) 19 Feb.; (iv) 26 Feb. (*Yelverton*, xxxiii, 94–99) 205

LV. Charges against Arundel (*Yelverton*, xxxiii, 81) ... 207

LVI. Articles for Examination (*Yelverton*, xxxiii, 95) ... 209

LVII. Gerard's final Examination, 26 Feb., 1589 (*Yelverton*, xxxiii, 99B) 210

Chronology. (27) Intentions in prayer 214

LVIII. (i) Burghley to Walsingham, 9 March, 1589 (B.M., *Harl.*, 787, 50) 217

(ii) Popham to Walsingham, 9 April, 1589 (R.O., *D.E.*, ccxxiii, 77) 218

Chronology. (28) Rumours. 219

PAGE

LIX. The Indictment, 7 April, 1589 (R.O., *Baga de Secretis*, 49, 14) 220

LX. Reports of the Arraignment, 14 April, 1589 232
(i) Report in State Trials 248
(ii) Report Y.I. (*Yelverton*, xxxiii, 74–80A) ... 264
(iii) Report, R.O. 2, (R.O., *D.E.*, ccxxiii, 86) ... 274
(iv) Report Y. 2, (*Yelverton*, xxxiii, 107) 283
(v) Report O. 1, (*Bodleian, Univ. Coll.*, MSS.E., clii) 288

LXI. Popham's Brief, 1585 (B.M., *Egerton MSS.*, 2074, 81) 289

LXII. After the Trial (*Life*, 96–103, 14) 296

LXIII. (i) Garnet to Aquaviva, 1 Sept., 1589 (Stonyhurst, *Collectanea P.*, II, f. 55) 298
(ii) Broughton to Bagot, 16 April, 1589 (*Hist. MSS. Com.*, iv, p. 335) 302

LXIV. (1) Arundel to Burghley, 7 June, 1589 (*Hatfield Calendar*, iii, 414) 303
(2) Countess to Burghley, 7 June, 1589 (*Hat. Cal.*, iii, 415) 304
(3) Arundel to Burghley, 27 July, 1589 (R.O., *D.E.*, ccxxv, 41) 304
(4) Same to Same, 26 Sept., 1589 (*Hat. Cal.*, iii, 432) 305
(5) Same to Same, 30 March, 1590 (R.O., *D.E.*, ccxxxi, 48) 305

LXV. Some Fables—
(1) From Ireland, 30 Jan., 1587 (*Hat. Cal.*, iii, 215) 306
(2) From Scotland, 15 Jan., 1588 (*Scottish Cal.*, ix, 669, 680) 307
(3) From England, 1590, 1591 (R.O., *D.E.*, ccxxiv, 48 ; ccxxxviii, 126) 308

LXVI. Servants and Sickness—
(1) Privy Council to Hopton, 4 May, 1589 (*P.C. Register*, xvii, 155) 309
(2) Hopton to Walsingham, 22 Aug., 1589 (R.O., *D.E.*, ccxxv, 65) 309
(3) Privy Council to Blount (25 March, 1592 (*P.C. Register*, xxii, 364) 310
(4) Same to Same, 21 Jan., 1593 (*ibid.*, xxiv, 16) 310
(5) Same to Same, 18 March, 1593 (*ibid.*, xxiv, 122) 310

LXVII. (1) Arundel's Debts, 1585 (B.M., *Lansd.*, xlv, 84) ... 311
(2) Lands at Northwich, 1586 (B.M., *Lansd.*, xlvii, 45) 312
(3) Dacre Estates, 1587, 1588 (*P.C. Registers*, xv, xvi) 312
(4) Accounts, 1589–1590 (R.O., *D.E.*, ccxxxii, 27) ... 312
(5) Arundel and Howard Houses, 1588 to 1592 (B.M., *Lansd.*, xlv, 85) 313
(6) Burial Expenses, Oct., 1595 (B.M., *Lansd.*, lxxix,(74) 313

PAGE

LXVIII. The Interior Man—
(i) Devotion to his Wife; (ii) Constancy; (iii) Cheerfulness; (iv) Religious Foundations (*Life*, 144–149, 152–155, 158–160) 315
LXIX. Fr. Robert Southwell 318
LXX. Literary Work 324
LXXI. The Last Scene, 19 Oct., 1595 (*Life*, 112–121) ... 330
LXXII. Funeral Sermon, 22 Oct., 1595 B.M., *Lansd. MSS.*, xciv, f. 118) 333

APPENDICES.

I. References and Extracts—
(1) Ridolfi's Commission, 1569, p. 335; (2) Hist. MSS. Commission, p. 336; (3) Lord Henry Howard, p. 338; (4) Letter to Queen Elizabeth, p. 338; (5) Star Chamber, p. 339; (6) Arundel and Allen, p. 339; (7) Threatened Massacres, p. 339: (*a*) Weston's *Memoirs*, p. 340, (*b*) Babington, p. 341, (*c*) Charles Paget, p. 341; (8) The Arraignment, p. 342; (9) Phelippes's Draft, p. 342; (10) Robert Walton, p. 343; (11) Spy Information, p. 344; (12) Prisoners in Tower, p. 344; (13) Obits of Ld. Wm. Howard, p. 348; (14) Dr. Atslow, Junior, p. 349.
II. Itinerary of Philip, Earl of Arundel 349
III. Handwriting 357
IV. Portraits 358
V. Beatification 358
VI. Latest additions—
(1) to (7) Letters to Burghley, p. 359; (8) the Earl's will, p. 368; (9) Estate Records, p. 379; (10) to (12) Letters to Burghley, p. 381: (13) Miscellanea, p. 386.

ILLUSTRATIONS.

Philip, Earl of Arundel. Small bust looking to left, panel, 6 × 5½ inches. From the collection of Sir Henry Jerningham ... ... *Frontispiece*
Thomas Howard, fourth Duke of Norfolk, from a study attributed to Lucas de Heere. From the collection of Mr. Francis Wellesley, Westfield Common, Woking 14
Philip, Earl of Arundel, as a youth, small oval, from the original at Arundel Castle 18
Philip, Earl of Arundel, as a young man, circular panel, from the original at Arundel Castle 98
The great inscription on the wall of the Beauchamp Tower ... 354
Handwriting 357

THE VENERABLE PHILIP HOWARD EARL OF ARUNDEL

1557 to 1595

Chronology—1. Birth.

1557. "The last of June, the Lord Philip Howard, sonne of Thomas Duke of Norfolke, was borne in London, at the Earle of Arundels house withoute Temple barre, which house sometime belonged to the Bishop of Bathe, and shortly after was Christned in the Queenes Chappell at Westminster * in a font of gold, where Philip King of Spaine, and Nicholas Heath Archbishop of Yorke, then Chancelour of England, were his Godfathers in proper person, and the Lady Elizabeth, Dutchesse of Norfolke, his great Grandmother, was his Godmother. This Lord Philip was the onely begotten childe of the said Duke, borne of the Lady Mary, daughter and heire of Henry Fitz Allen, the last Earle of Arundell of that name. To whom the inheritance and dignity of the said Earle therefore descended." John Stowe, *Annales* 1631, p. 631.

"The ij day of July the duke of Norfoke('s) sun was crystened at Whytt-hall at after-non, and the king and my lord chanseler was the godfathers, † and my old lade the duches of North-foke was the god-mother, and ther wher iiij^{xx} torchys bornyng."

"The iij day of July the Kyng and the Quen toke ther gornay toward Dover, and lay all nyghtt at Syttyngborne." *Machyn's Diary*, Camden Society, 1848, xlii pp., 141-142.

Chronology—2. His Mother's Burial.

"The xxviij day of August begane to sett up the herse at sant Clementes with-owt Tempull-bare for my yonge duches of Northfoke, the wyffe to the yonge duke of Northfoke." *Machyn*, p. 149.

"The furst day of September at after-none be[ried the] yonge duches of Northfoke, and the chyrche and the plaise and the strett [hangyd with black] and armes; and be iij of the cloke she was browth to [the Church with] a c morners; and her grasse had a canepe of blake [velvet, with] iiij stayffes, borne over her; and many baners, and baner [rolls borne ab]owt her; and the byshope of London in ys cope and ys myter [on his head,] and all the qwyre of Powlles; and with ij grett whytt branchys, and xij dosen stayffes torchys; and viij haroldes of armes; and my [lady Lumley] the cheyff morner, and mony lordes and knyghtes, and gentyll lades and gentyll-women." *Machyn*, p. 149-150.

Chronology—3. An act assuring Howard Property. 1559.

The eleventh private act passed by Elizabeth's first Parliament, 1559, had this title, "An act to ratify the marriage between the Duke of Norfolk,

* Until ten years earlier the chapel of the Royal Palace of Westminster was St. Stephen's. But in 1547, this had been given up for the sessions of the House of Commons. The royal apartments were about then gradually moved to Whitehall and St. James's, and Queen Mary's Chapel went there too as Machyn explains.

† According to *The Lives of Philip Howard Earl of Arundel and of Anne Dacres, his wife*, edited by Henry G. F. Howard, Duke of Norfolk, London, 1857, p. 5, Archbishop Heath performed the ceremony, and the Earl of Arundel was the second godfather.

and the Lady Margaret [Audley] now his wife, and for assurance of certain lands for her jointure." It was partly through this act that Philip maintained his right to the Howard patrimony, after his father's attainder. *The Statutes at Large*, ii. sig. 2 ; see also p. 368 below.

CHRONOLOGY—4. MARRIAGE.

From *Life*, p. 173, the inference is that Philip's marriage took place between March 31 and June 28, 1569.

"As soon as he came to the age of Twelve years complete, he was by the appointment of his Father, and his own free consent publickly marry'd or betrothed to M^rs^. Ann Dacres eldest Daughter and Heir, as was said before, of the Lord Dacres of the North." *Life*, p. 10.

1571. "And about two years after that [public marriage] when he was at years of full consent, that is, after fourteen complete, they were married again by special Order from the Duke then Prisoner in the Tower, out of fear lest the first Marriage as being made before his son was come to perfect age, might be annulled by order of the Queen, or some other means, as not without reason he might suspect some would attempt it should, had it not been made past breaking by iterating ye Contract the second time." *Ibid.*

I.

PHILIP, EARL OF SURREY, TO LORD BURGHLEY.

Kenninghall, 24 September, 1571.

R.O., *Domestic Elizabeth*, lxxxi, 26. Autograph. On the 6th of September, a warrant had been issued for the transfer of the Duke of Norfolk to the Tower. *Calendar, Domestic Elizabeth*, lxxxi, 9. See the next document.

The cominge of the comissioners* (my very good Lorde) dothe make me greatly affrayde that the quene is very much displeased with my L. my father, which maketh me no lesse hevy then duty bindeth me, or his unhappy chaunce dothe require. Therefore considering this and also being assured of the greate friendshippe, which you bare to my L. my father in his former imprysonmente, I am nowe most ernestly to desire your L. to continue the same, and remember him who is afflicted with grief and troubled with his unhappy estate. The queene's highness I hope will mitigate hir anger by your L. helpe, and other my L. my father his freindes. Therefore rendring most harty thankes for your greate goodwill and unfayned friendshippe, myne only requeste is, that it woulde please your L. humbly to desire the quene's maiesty, that she woulde turne hir graciouse favoure towards my L. my father, and stande his favourable and good La. as in tymes paste she hathe done. I moste ernestly beseche your L. that you woulde fulfille this my moste dutifull requeste at my desire, as at his whose only truste is in your L., and who only dependeth upon your helpe and ayde. Yf it shall so seame good unto your L., I am redy to become a sutor for my L. my father at the courte, as nature moveth and duty bindeth

* The commissioners' names and function are given us in a letter (Sept. 30, 1571) of Sir Christopher Heydon and others to the Council, in which they report on their proceedings at Kenninghall and other of the Duke's houses in Norfolk, and enclose—"Inventory of the goods of the Duke of Norfolk, within the county of Norfolk, as taken by Sir Christopher Heydon, Sir Willm. Buttes, Edwd. Clere, and Thomas Sydney, Esqrs., and by them committed to the custody of certain persons within named." R.O., *Dom. Eliz., Cal.* lxxxi, 28, 28i.

me. Thus trustinge wholy upon your L. greate goodwill and friendshippe, I take my leave ffrom Keninghall this xxiiij^{ti} of September.

Your L. assuredly
While life dothe laste
Phil. Surrey.

Addressed.—To the righte honourable and my very good L. the L. of Burley.

Endorsed.—24 Sept. 1571. ye erle of Surrey.

II.

THE DUKE OF NORFOLK'S LAST LETTERS TO HIS SON PHILIP.

This is not the place to give any detailed account of the Northern Rising (November—December, 1569), nor of the intrigue which followed, called Ridolfi's mission (February to July, 1571), for Philip took no share whatever in them. Nevertheless they cannot be passed over in silence, for they cost Philip's father his life, and show us vividly what the terrible strife was, amid which, but for a cause nobler than his father's, Philip would also meet his death.

Suffice it then to say that Mary, Queen of Scots, fled into England, 18 May, 1568, and that her mere presence acted like a magnet of subtle but most extensive power, automatically drawing or repelling every heart. The Tudors domineered not only over the State, but also in the realm of conscience. Elizabeth had acted as other Tudors. She had extended her creed throughout the realm, and she had treated the rights, both of her legitimate heiress, and those of every one else, when they stood in her way, as nil. But now here was Mary, appealing for support to that same respect for the crown which had given Elizabeth her power. Loyalty to the crown was now drawing in two contrary directions. Elizabeth wished to monopolise all respect, all authority, all rights. Mary's presence, and especially her imprisonment, which immediately followed, tacitly reminded everyone that Elizabeth's claims were vehemently exaggerated; that strong exceptions might be taken, both to her methods of government, and to herself; that the tract of time was making things rather worse than better.

From these strong contrasts ensued in time the Rising of the North. The changes contemplated by the insurgents were not at first far reaching. Elizabeth should still be queen; but her ministry should be radically changed. The Duke and Queen Mary as his wife should occupy the second places in the realm. There should be religious liberty, and an end to privateering. Peace with Spain, and a golden day would follow. The Duke, a popular, lucky, easy-going man, brought up in the fashionable submission to royalty, came into the plan gladly. But when he should have bearded the reigning ministers, he hesitated, and held back. His companions, believing that retreat was for them impossible, rose on the 14th of November. They were successful in their first skirmishes, but were entirely unable to meet Elizabeth's army, when in time it took the field. On the 16th of December they fled towards Scotland.

As the Duke was in the Tower during the Rising he escaped most of its ill consequences, and was after a time placed for confinement at Howard House. But the old aims and ambitions had not lost their charm for Thomas Howard: nor was there in truth anything wrong or disloyal in them, however much the Elizabethan tyranny might forbid them. At last queen Mary, pining under restraint, commissioned her ambassador, John Lesley, called the Bishop of Ross, to recommence his dangerous negotiations with

the English Duke (8 February, 1571), and this he did in company with the papal "factor," Roberto Ridolfi.

As to these two men, it must be remembered that Lesley was not a bishop: and that Ridolfi was not a nuncio, much less a professional assassin.* Both were good men in their own circumstances. Lesley was an ecclesiastical lawyer in turbulent Scotland. He was in deacon's orders, Mary had nominated him Bishop, and he was eventually consecrated, but not till many years later. Ridolfi was a banker from Florence under the Medici. Both were men of their age and station, but neither was trained in diplomacy, or had any ideas of naval or military science. They eventually drove a bargain with the Duke, which, if it had been merely a question of money, might have been a very favourable one; but turning as it did at many points on the balance of power between nations, and on military and naval conditions, their proposal was really a castle in the air, a danger to no one except those whom they wanted to assist.

The negotiators gradually represented to the Duke or to his secretaries, (and especially to Barker, with whom they chiefly dealt), that if he married Mary, he must take side with her and her relatives; and the duke agreed, sometimes with a few good-humoured words, rarely discussing the terms. By degrees they pointed out that as the last efforts to change the ministry by domestic forces had been abortive, foreign aid must now be sought; and so the plan developed. Ridolfi reduced all these discussions to the form of State papers, which the duke seemed to regard with favour, though he would not sign them.

At last (10 March) came the crucial point—would he sign a credential for Ridolfi to go abroad and negotiate on a basis of the papers submitted? The Duke refused: the others insisted: the refusal was repeated. At last it was agreed that Lesley, Ridolfi and Barker should take the credential to the Spanish Ambassador, and ask him to send it on in his private cipher. They should say that the Duke could not sign it owing to the danger, but that it really was his mind. The ambassador agreed, and sent on the letter in his code. How he expressed the odd form of assent given to it, is not known. But when deciphered by the clerks at Madrid and Rome, they simply wrote the Duke's name at the foot of the decipher. Thus did Ridolfi start on his mission armed with all sorts of grandiose projects of his own drafting, and two credentials, one purporting to be signed by the Duke, and the other by Mary.

Ridolfi went first to the Duke of Alva, to whom he communicated the plans, and he further added that the assassination of Elizabeth was also part of the project. Alva was rather encouraged than repelled by this, though he felt the greatest misgiving as to the Italian's prudence and his military plans. Still, without committing himself, Alva received him well,

* This charge was maintained by the late Lord Acton in a series of letters to *The Times*, 9 Nov. to 12 Dec., 1874. His authority was the Bollandists, *Acta Sanctorum*, 1 May §173, ed. 1866, p. 661. Here we find a sentence which he would translate thus from the Latin—Pope Pius V "*thought of making away with her, who was the cesspool* of all evils, or, as he called her the slave of crime" . . and so he employed Ridolfi, &c. But (apart from other difficulties) Lord Acton did not advert to the fact that this Latin was itself a translation from the Italian of Catena. The straightforward original must decide the meaning of the Latin; and Catena's words may be translated thus, "Pius, thinking on the one hand of helping the Queen of Scotland, and on the other of removing the cesspool of so many evils (for Elizabeth nourished dissensions, &c., &c.) . . . deputed certain Catholics to give him information" and Ridolfi among them. *Vita del glorioso Papa Pio V.*, Mantua, 1587, p. 75. The clause, which taken apart from its context might bear a sinister meaning, is perfectly innocuous as it was originally written. The passages are printed in full, Appendix p. 335.

and this so encouraged the banker, that he wrote back several letters to his friends in England with hopes of success. This was unnecessary and imprudent; the letters fell into the hands of Cecil, and though, being in cipher they could not at once be read, they proved in the end the ruin of the whole enterprise. Ridolfi went on to Rome, where he (alas!) won round Pope Pius V far too easily. But there is no evidence, or even appearance, that he mentioned to him his plans for assassination. When he got to Spain, however, he did broach that subject, and we find that the matter was discussed by Philip's council in a cold-blooded, business-like way, which one must certainly condemn; though it does not appear that the plan was eventually approved, or that any action was taken upon it. That Ridolfi had any assured partisans in England for these courses is not affirmed, much less proved. We know that his schemes were in large measure the creations of his own imagination. He meant to have returned to England now in order to commence real preparations. We may very well conclude, though strict proof is wanting, that this talk of plots had no true foundation in fact. It was the bye-product of a mind brought up to admire and emulate the Medicis in Florence.*

Ridolfi never returned to England, for Cecil had now deciphered his letters, and held all the threads of the conspiracy. The Duke was back in the Tower, and he was in due course arraigned. He pleaded guilty and was condemned to death.

While under sentence the Duke wrote five remarkable letters to his children, which bring vividly before us the tone of mind of the Elizabethan courtier. He had been a Catholic under Mary Tudor, and he had lately given some sort of promise to Ridolfi to return to the old faith. But now we see him professing the new creed with nervous anxiety, and calling on his children, on pain of forfeiting his blessing, never to return to the faith of their forefathers. Above all we see an abject subservience to the Tudor tyrant. He tremblingly pleads guilty, though in truth, and on his own showing, he has only used his English freedom. It was the despotic behests of arbitrary power which he had contravened.

This was what Earl Philip had in mind when he wrote to Elizabeth herself: "His greatest enemies must of necessity confess, that he never carried any disloyal mind to your Majesty, nor intended any undutiful act to his country." (*Below*, p. 104.)

There are five of these farewell letters, and as two of them are double, the total might be counted as seven. Probably all were written with the Duke's own hand, but none of the originals survive. They are also all long the two here printed being the shortest. Letters i and ii are signed T. Norfolk, or T.N., the T and N having the same upstroke. Then the style changes to Tho. Howard, or T. Howard, the T and H having again the same upstroke.

Texts. I, Ia, III and IV are preserved in British Museum Harleian 787. They are copies once belonging to Mr. Dell, a Secretary of Laud, and are of his period. All four letters are printed in the Appendix of J. Bayley, *The Tower of London*, 1821. II and IIa are preserved in B.M. Additional 32,379, and also in 33,271. Both are of about the year 1580. No. v is described below.

Letter i.

20 January 1571—2.

This is the most natural and spontaneous of all the group, and it is consequently the most touching of all. But it is also the best known, having

* This episode has never been adequately treated from a Catholic point of view. Lingard has dealt with the English materials quite satisfactorily; but the all important materials from Rome and Spain, were not then accessible. I shall treat the subject fully in my *History of the Politics of the English Catholics under Queen Elizabeth*. [J. H. P.]

been printed entire by J. F. Nott, *Works of the Earl of Surrey*, 1815. I. Ap. p. 83—88. The portion specially addressed to Philip is also printed by M. A. Tierney, *History of Arundel*, II. 362—367, and again by Lady Georgiana Fullerton, in her novel *Constance Sherwood*. It will not, therefore, be necessary to reprint the latter here, notwithstanding its beauty, and the great effect it must have had on the formation of Philip's character. The Bible-letter below will reproduce its features sufficiently for our purposes.

Within Letter I was an enclosure addressed to Philip, beginning "I forbear, son Philip," and ending "report to you from me." It has been printed by Bayley. The father's object here is to enumerate those friends, who have been of chief service to himself, and who are therefore especially commended to his son. It will be sufficient now to enumerate the names. recommended. The first is Lord Burghley, then "My cousin of Oxford, who is too negligent of his friends' causes, or else he might do you more good than any kinsman you have." Then The Master of the Rolls, Mr. Attorney, Mr. Hatton, who is "marvelous constant." Let some little time pass and then write a letter to the Queen "prostrate at her feet," and plead your own cause.

Then some servants are mentioned. Remember this bearer (who afterwards appears to be Dercy). "Forget not poor Anthony." Bannister is warmly commended. Dix (but the copyist writes Dixy) "is a faithful servant, and one I wish you to repose mostly upon. He is best acquainted with the state of my reckoning. Make use of Sir Thomas Cornwallis; but at the same time "beware of him and of all other that be papists." "My brother and your uncle," *i.e.*, Lord Henry Howard, "There is no one may stand you in better stead. He has been so natural, as for my sake he has brought himself into trouble."

In conclusion he gives repeated orders that all who have injured him are to be forgiven. "Recommend me to Roger Strainge . . . requite his pains with you . . . and those of your painful master." The writer counts on being in heaven immediately after death, and signs as before with T.N. united.

Letters ii and iia.

26 January, 1571–2.

Letter II, which is hitherto unedited, is very long, over 3,000 words, and again double, and bears date 26 January. It is elaborately religious throughout. The first section begins "The Lord of his goodness," &c., and it bears neither address nor date. It seems as if it were one page of a draft letter intended for all the children. The second section is long and laboured. The following are the chief heads:

Beginning (f. 66) with the words, "The greatest trial of friendship," he immediately dissociates himself from prayers for the dead. "The words of Maccabees do not tend to pray for the dead to fetch them out of purgatory, as Antichrist's church doth teach." Then (f. 67) he dwells on "natural affections," then on obedience, and bids them "remember my former lessons. These were—to serve God with faith in Christ Jesu and no other (f. 68). Avoid saying prayers and psalms by rote, and to think (as, God forgive me, I myself have done) that I have served God sufficiently, when I have mumbled up to myself. They were wont, when Antichrist's religion flourished, to call such a hunting mass." He confesses that he swore much. "I did herein follow papists' examples, who cared no more but to slubber up their mattins, or evensong, and then they had done." Now the service is altered each day of the month (f. 69). Be liberal (f. 70.). Study the Scriptures (f. 70b.). Cries God mercy for having been "doubtful in religion," but this last year he is very earnest, and he requires his children to follow him. Avoid pride

(f. 71), avoid leachery, also idleness. Practise prayer and fasting, yet "so that you incur not the absurdity of the Papists." Take care in presentations to livings. "By the hands of your unhappy Father in this world, but I hope with the mercy of Christ Jesu, Blessed in another.

Tho: Norfolk.

Letter iii.

28 January, 1571–2.

Letter III, printed in full in Bayley ii. 473, bears date 28 January, 1571/2, and begins "I trust dear children that you will be mindful . . ." He then expatiates amply on Subjection, first to God, then to the Queen. He goes on to say that he has petitioned Elizabeth to allow him to select for them some nobleman who shall be to them as a father.

"It has pleased her Majesty that I should chose you a protector and I have chosen . . . the Lord Burghley." * He then charges them upon his blessing to be good children, and "I give over my fatherly right to him. Although my happe hath been such that my kinne have had cause to be ashamed of me their kynsman, yet I hope when I am gone nature will so work in them that they will be in good will to you, as heretofore they have been to me. Amongst whom I will beginne as high as I unworthy dare presume, with my cousin of Oxford. I hope he shall comfort you. Next the Earl of Sussex, and nextly my uncle William. Then my Lord Keeper, My Lord Leicester, Sir Walter Mildmay.

I have somewhat to wryte to you Philip, touching the satisfaction of my conscience in some worldly causes. I have been a great turmoyler in worldly charges, sometimes purchasing, sometimes building, whereby I was enforced to be ever in debt and still in need of money. Yet I could not borrow but upon security, which commonly were mine own men, or else they were bound to save other suretys harmless." Debts should be paid as far as means will stretch; but I fear they will only cover one half. The conveyance made at my second wife's death is of special importance. You must take care about your sister Margaret's marriage. As to Mr. Cleare's bargain and the like, use Lord Burghley's advice.

Written by the dying hand of your unhappy natural father in this world.

Tho: Howard.

Letter iv.

4 February, 1571–2.

The Duke's Last Defence.

This letter, from Harleian 787, f. 118–120, has been printed by Bayley II. Appendix: but it must be repeated here because it gives what we may take to have given rise to the traditional belief held by the Earl about his father's execution, the sum of which was quoted above. It bears no address. Though it may or may not have been intended for Philip, it evidently came among his papers, and he has clearly studied it. It is very different in style from the other letters, being full of reasoning and self-defence. Though no doubt sincere, and complete from the Duke's own standpoint, it gives, of course, only one side of the question, and is far from being a complete history.

* "Iff that, with your Majestye's most gracyowes Lycens, I myght be so bolde as to the power Orphans to adopt a Father, . . . I wold hope that my good Lord Burley . . . wold be intreated to extend hys charytable and fryndlye Favor, nowe in fatheryng them." The Duke to the Queen, 22 January, 1571–2. Murdin, *State Papers*, pp. 166–167. "Ytt hathe pleasyd your Majestye to crysten them with suche ane adoptyd Father, as my good Lord Burley ys . . ." The Duke to the Queen, 23 January, 1571–2. *Ibid*, pp. 168–170. See also Philip's letter of 16 June 1572. (*Below* p. 16.).

I Thomas, late Duke of Norfolk, considering my conscience, fearing how diverse opinions I shall leave in the judgment of the world touching my guiltiness, besides my declaration at my last speech, I thought fit also to leave behind me this short writing, because it will remain when speeches be forgotten, or sometimes misreported, which I charge the party I send it unto to keep it close to himself, because I would have nothing I leave in this world to breed any heart-burning, except such time happen, as it may do good and no hurt; which may perchance come to pass, if time discover the very Authors of those heinous treasons that I have been charged with; which God for his mercy grant. Amen.

If I had been one of the Peers and another in my place, if I had credited the witnesses, as I think they did, considering the concurring of the presumptions, I would have done as they did. For indeed, as I said at my arraignment, I with worldly wisdom seeking to escape the less danger, cast myself headlong into the suspicion of the greater. I was of new drawn in again into the dangerous courses of the Queen of Scots, as at length doth appear by my declaration sent unto her Majesty, wherein howsoever anybody doth deny any piece thereof, I offered diverse times, that if any one would say there was any untruth therein, I would prove it with more: not with my simple yea, but either by witnesses or writings. So that I having been driven anew to have intelligence with the Queen of Scots and her Ministers, contrary to my duty and my promise to her Majesty, I was enforced for fear that Barker or the Bishop of Ross at any time should discover this my new intelligence, they having my head thereby under their girdle, to conceal those things, which in the end gave those vehement presumptions against me to concur with their false accusations in divers material points.

But if my hap had been so good that I might before my indicting upon my often humble suites to my LL. of the Council and the Commissioners have had my accusers before themselves, face to face, I would not have doubted, but to have overthrown those presumptions, and perchance by circumstance have bolted out such matter as might have made for my purgation and the discovery of the bottom of these causes, which are now laid only upon my neck.

But God that discovers all things by his divine power, perchance for my farther punishment in this world, hath otherwise directed the course to my earthly overthrow, to the which with my most humble thanks for his fatherly correction, I submit myself.

But if this trial had been accepted, some of the Queen's Majesty's learned counsel should not have had so good ground still at my arraignment to have cried: It is but your saying: It is but your yea; It is but your nay. But I would not have doubted but by this indifferent manner of trial, if it had been permitted, to have not only (as I said) overthrown their surmised presumptions, but also to have thereby brought the presumptions of my side, and laid open their false accusations in sundry points.

But alas, howsoever I might thereby have avoided the blot of these heinous treasons, yet I must confess I could no ways have excused my undutiful and disobedient dealings against my most gracious Queen and

Sovereign Lady, and that howsoever in laws I might have purged myself, yet my worldly punishment cannot be too great.

There are certain points that be untruly laid to my charge—first that I should be privy to a rebellion meant at home, and that to that end I should have a schedule of names delivered me by Ridolphus. I never received any paper or schedule of Ridolphus. No more, the Lord knows, did I ever once think of any rebellion to be meant, nor did I ever hear of any one man's name that intended any such thing.

A second cause that I was untruly charged with was, that I should consent that certain Wallons or Spaniards should land at Harwich to the number of 10,000, and that they should have been able to go over 40,000 English inexperienced men's bellies. God knows how innocent I was herein, for I protest if any such landing had chanced, if her Majesty would have given me leave, yea but as a private soldier to have trailed a pike, they should have come over my belly, before willingly I would have seen them enjoy possession of one piece of English ground.

A third untrue accusation was that I, though I refused myself to write to foreign princes, yet that I should consent that others should write in my name. God forgive him that falsely charged me herewith, as though, if I had had so wicked a meaning, yet my understanding was not so simple that I should think difference to be between writing myself, and bidding another to write in my name.

But as I shall answer before Almighty God, at what time that Barker brought me a writing, which he said was deciphered being a letter from the Pope to me, and that there were certain words in the said writing, which did tend, as though he had received a letter from the party that he wrote that unto. After no small heat with Barker, professing, I fear me with oaths, my detestation of him and his sea, I said—here must needs be some packing, and that you Barker must be privy to it. For if the Pope should send this letter, and mean it to me, then of necessity it must fall out, that there hath been some forged letter in my name sent unto him. To the which Barker answered with no small asseveration that he was never privy nor consenting to any such letter. Marry he said he thought it might be Ridolphus his doing for his better estimation, and protested that after that he would never deal with him or hear from him. This now doth not excuse my undutifulness, that I would conceal any such Lr., as I did both this, as he said, of the Pope's which was double written and also another as he likewise affirmed, which came from Ridolphus. I wrote as Barker said to me, for as God shall judge me, I never had any cypher between me and any of those princes, or else with Ridolphus. And those letters which Barker shewed me had neither hand, direction nor seal. They might be made in London for ought that I knew. He shewed me once a little packet undeciphered, which he swore he knew not what was contained in it, till one Cuthbert, ye Bishop of Ross his man did tell him, which he said was one of those that he shewed me. God knoweth whether it were or were not.

I was also partly charged, as though I should be privy that there was a certain meaning against this city. God knoweth I never heard words of any such matter, and I think any reasonable man will purge

me thereof, if he do but look into my doings in this city in building Howard House, in purchasing the reversion of Arundel House (I speak not of Christchurch) that this were no token that I meant to harbour conquerors there, whereby nobody shall be sure to keep his own: and so myself and mine to lose both my purchase and costs in building.

The privity to these points I utterly deny, but yet I cannot deny but, as I have said before, that for fear of being discovered in my other contentious dealings, I did many times both hear and conceal that which my conscience condemns me in, thereby forgetting my duty, both to God and her Majesty. In that respect I think all that is fallen upon me to be God's providence and just judgment, and I do humbly ask God and her Majesty's forgiveness for my manifold offences unto his divine Majesty, and for my worldly undutifulness unto her Highness.

Thus much I thought to leave behind me for a discharge of my conscience, without (I take God to witness), minding ill to any body. Although I might justly say that my hap should never by God's grace have been so wretched, if those had been as friendly unto me in bringing me out of the labyrinth, as they were both earnest and diligent to procure me to enter into the maze. God forgive them and me my manifold offences, which I have committed against his divine Majesty, for his Son's sake Jesus Christ, our only Saviour and Redeemer. Amen.

Written the 4th of February, 1571.

By my own hand

Tho. Howard.

v.—The Bible Letter.
11 February, 1571–2.

This letter has an interesting history. The Bible in which it was written, was presumably that which had been brought in to the Duke of Norfolk, when he was sent back to the Tower in 1571. About this Dr. Wilson, one of the commissioners, wrote, 1 October, 1571, "Mr. Skypwith [this was the gentleman gaoler who lived with Duke] hath done his part very well, as well with Sharpe as with others, to bring things to light and hath taken from the Duke his bible, wherein are cyphers in three several places, where the foldings are" (Murdin, *State Papers*, p. 156). We may assume that, the ciphers being removed, the Bible was returned, and on the 11th of February, on which day he was told that he should be executed, the Duke wrote with his own hand on the blank after the book of Job, the letter which follows, between four and five in the morning; feeling vividly, as he says, that four hours later, it might have been copied with his own heart's blood.

He was reprieved, however; and then it seems that Skypwith had a fair copy made, which is, in fact, that printed below, and this the Duke, as will be seen, has authenticated. On 16 February Skypwith sent this on from the Tower to Burghley with these words.

"I do send here inclosed the copy of his letter, which is written in his Bible, perused by him, as you may perceive by his hand underwritten." (Murdin, *State Papers*, p. 172.)

This, it will be observed, exactly agrees with, and accounts for, the Record Office copy.

The Duke's bible itself, with his letter in it, has disappeared, as it would seem for a very long time; though not without leaving a little history of its own. But before reciting this we may well inquire whether our information enables us to identify the edition of the volume in question. There had been by that date fifty or sixty different editions of the bible in English.

But the great majority of these cannot possibly satisfy the conditions of our case. The chief of these is, room for a fairly long letter, of over one thousand words, at the end of the book of Job, and this in the hand of the Duke, which was not small. This enables us to rule out at once all the smaller editions in octavo, quarto and small folio. None but the largest blank side, or both sides of an entirely blank page of moderate size, would have afforded room enough. The press, however, had been fairly active of late in issuing what are known as "great Bibles," or as we might say lectern-bibles, which would becomingly fill a choir lectern in a large church. Every church was bound by law to have one; there was therefore a good demand for them, and by consequence a good supply.

There had been two editions of a great Bible not long before the Duke's confinement. The first was "printed at Rouen by C. Hamillon at the cost and charges of Richard Carmarden in 1566," and this actually has one side blank at the end of Job. The size of the paper, nearly 16 inches by 10, is sufficient. There was also a second Great Bible, commonly called "The Bishop's Bible," printed in London by Jugge in 1568. This edition, which is of equal size with the last, would give even more room to the letter writer, for the page after Job is blank on both sides.

So far, then, either of these editions would do, but the probability is in favour of the "Bishop's Bible." The reason is that this edition marks off the verses with numbers, and it was the first edition printed in England which did so. The Rouen Bible does not; whereas the Duke in his letter makes a quotation by chapter and verse. But too much stress ought not to be laid on this, because there were already the Genevan editions of the Bible in which the verses were numbered.

Searching the catalogues of English Bibles, we find no others that suit us in the earlier part of Elizabeth's reign. Indeed it is not until we get back to the reign of Henry VIII that we find a series of "Great Bibles" comparable in size to those of 1566 and 1568. In the years 1539 to 1541 there were no less than seven editions of the lectern-Bible, and of these not less than five have blanks at the end of Job. So that it would seem that, as regards size, any of these five might have served the Duke's purpose; and so, too, would the two editions of 1551, which, though smaller, had two blank sides after Job.

But the chances are evidently in favour of the recent as against the older editions.* During the reign of Mary the then discarded service-books (and Lectern-Bibles belonged to that class) were set aside, and many were lost

* Much assistance will be found for the study of this bibliographical problem in Mr. Darlow and Dr. Moule's *Catalogue of the Editions of H. Scripture in the Library of the British and Foreign Bible Society*, London, 1903, Vol. i. Ninety-five editions of the Bible in English (including editions of the New Testament) before 1572, are found in this magnificent collection. All are described most minutely, and the data are given which we require; viz., the recurrence of blank sides, the exact size of each sheet. As in other books, blanks occur in these Bibles only on the backs of titles and on the last page or pages. But then these big Bibles were almost always printed in four or five parts with as many different paginations; so that they might possibly have four or five blank last sides. And again, when the Old Testament is divided into four the middle division will generally fall after the book of Job. Here then is a place at which blanks may, and frequently do, occur.

In the above catalogue the "Bishops' Bible" is described under No. 89, Hamillon's under 86, the two bibles of 1551 under Nos. 66, 64, the "Great Bibles" of 1539 to 1541 under Nos. 25, 30, 31, 34 to 37.

We must also express our grateful thanks to Mr. Darlow and Dr. Moule for kindly arranging for us to verify, in the splendid library of the Bible Society, every blank which is here mentioned.

or even destroyed. On the other hand the "Bishops' Bible" received such government support, that a public man like the Duke, might have been expected to subscribe for it. The probabilities are clearly in favour of the Duke having used this edition.

After his father's death this Bible came into Earl Philip's hands, and Harleian MS. 6991, no. 2, has a copy of our letter with this note :—

"These lines be written by the earle of Arundel's own hand in the beginning of the Bible, wherein the duke wrote this letter :—

"Philipp Surrey [and] this book should no way be separated, but be together always: and I, Philipp Surrey testify the same, being written with my own hand."

Until we understand that the bible in question was probably in four or five different parts, we shall find the boyish composition of this note somewhat confusing. But when we remember that his father's precious note came on the back outside leaf of the second part, we can see that, if the parts should be taken out of their places, and left casually about, his father's letter would be exposed, unprotected and face downwards, under a considerable weight of paper. This well explains his anxiety to have the loose parts kept within their cover.

This interesting volume was apparently not at the disposal of the original biographer, who wrote about 1624, yet he had heard something of the volume. He writes (p. 140), "The Duke his father sent him an English Bible of the Protestants' translation, not long before his death, the which for that reason he kept very carefully till he became a Catholic," (1583). We note that the biographer knows nothing of the Bible-letter.

After Philip's conversion, it was natural that his mind should change to some extent, concerning Elizabeth's very protestant translation, and we may imagine that he would thenceforward have regarded the book with mixed feelings. Some annoyance would tinge his respect. However, when the Earl was sent to the Tower in 1583, it seemed appropriate to the men in office to send this volume after him; and it was then set up in his cell in the Beauchamp Tower, where his gaolers and the soldiers would read it aloud at him. We, who appreciate what a bond of affection to this book had been traced by his father "at the latter end of the book of Job," can appreciate what these recitations must have cost the Earl, better than his biographer, who did not know of the letter. We can see that his conclusion of the story must in some respects have fallen short of the reality.

"This Bible I know not by what means was brought into the Tower; wherein because his keepers, and the Lieutenants mendid sometimes read; he was so troubled at it (tho' he knew right well, if it had not been there they would have procured some other) that he resolved to have written to the Lord Chancellor for a warrant (without which it could not be done) to have sent it away. And infallibly he would have so done, had it not before by accident come into his hands, and so was kept ever safe from doing hurt to any."

What the full meaning of the last phrase, "and so was kept *ever* safe from doing harm to any," one cannot say. The idea of preserving the relic seems clear. Perhaps the words indicate that the book was eventually sent to one of the Countess's catholic foundations on the continent, for instance, to the Jesuits at Ghent. No tradition of its whereabouts survives, but a New Testament containing a farewell letter to the Duke's servant George is still preserved at Arundel Castle (*see* Tierney). The two copies made of the Bible letter in the British Museum seem to be earlier than the date of the Earl's imprisonment.

TEXT. R.O., *Domestic Elizabeth*, lxxxv., 42, is written in a clerk's hand,

with an autograph authentication. There is a contemporaneous copy, *ibid.* No. 43, with this heading, "A copie of a letter written by the last Duke of Norfolk in the latter end of the Booke of Joab." In B. M. *Lansdowne MS.* 449, f. 20, there is another very accurate copy with this title, "The copie of the lres of Thomas late D. of Norff written to his children with his own hand," and lower down, where the writer mentions "this place of the book," the copyist makes this editorial insertion, "being the book of Job." *Harleian MS.* 6991, n. 2, has this heading, "A copy of ye Dewke of Norfolke his writinge in ye latter ende of ye booke of Job. To his sunne Philipp, earle of Surrey, nowe of Arundell." At the end is this note in a different hand, "Thes lines be written by ye earle of Arundell's owen hand in ye beginning of ye bible, whearin ye dewke wrote this letter." Then (in the first hand), "Philipp Surreye, and this boocke shoulde no waye be separated, but be together allwayes: and I, Philipp Surrey, testify the same, being written with my owen hande." Another copy B.M., *Additional MS.* 32, 379, ff. 57, 58. Printed at the end of John Bayley, *History of the Tower*, 1821, vol. ii, Ap. p. 67, from Harl. 6991, but with several small faults.

Nowe my deare sonne philyppe, the ower is come, that your erthlie father must byd you fayrewell, and so I do with a right good will, as well yourselfe as also your lovynge wyffe my welbeloved daughter, your two brothers, my deare children, and myne owne swyte daughter with your pretye sister in lawes, For I have by my most ernest prayers, to almightie god, for his deare sonne Jhesus christs sake, commytted yow hollye over to his dyvyne maiestie, whose grace, yf yow call ernestlie for, with a constant faithe in christe onelye, no doute but yow shall receave more mercye and goodnes, then my naturall affection unto yow can eyther thinke and wyshe.

Besydes I have by my most humble petition, to my most gratious soveraine ladye, Quene and mistris, even as yt were offered yow, as power orphyne castawaies in to her hynes most mercyfull handes, to whom with your harts, yf yow have not a full mynde, as your abylytes will serve yow, to make sume satisfaction for me, your father's disobedyence, in stead of well wyshinge to yow, I praye god send you short lyves. But I hope as I may be an example unto you to take head of undewtyfullnes: so you will remember this my last chardge.

And because by experience of myselfe I knowe how forgetfull youthe is, and for feare, that your younge yeares, for want of Brydling should utterly synke that which I have most unhappelie overthrowen, I have by my most ernest petition chosen for you my children, one that I hope wilbe to yow another my selfe. Not that I can clame any so great kyndnes at his hands by desert (which have ever bene beholden unto him, and I never able to pleasure him) but for the former experience, that I have had of his frendshippe, and nowe lastlie, when frendshippe was most tryed, that yt pleased him at my most fervent request to become your adopted father.

This diing is no little comforte ynto me, that me thinketh I have so well bestow you, first to the protection of the most mercyfull god, secondly to the most gratious and pytyfull harte of my most redowtyd Quene and Mystris, thredlie to the care of so frendlye and vigilant a nobleman nowe your erthlie father.

I wryt brefflie, because now my mynd is occupyed upon that which I have more care of then of your selves, I meane my soules healthe, and therefore look to my meaning and not to the uncowched* sentences, or perchance unapt words. I have wrytten at length to you before, which I hope is come to your hands before nowe. Remember my former lessons as well as thoughe I repeted them anewe. They be but shorte, but yf you followe them you shall fynde them best for your soules healthe, and also best for your worldlye profyt and quyetness. Be obedyent to your newe good father, and to those other my frends that in my letters I have recommended vnto yow, and be advysed by those my servants that have bene trustyest to me and they are able to gyve yow that consell, which is ffytest for yow to followe.

I wryt thus much unto yow in this place of the booke, because by godlie Jobe you may learne to be patient in this adversytie, that my deserts hath nowe layd upon you, and saye with good Jobe the 21 verse in his first chapter.† And of the other syde in the salmes of good kinge Daved, you maie chose some selectyd, which may againe comforte your afflicted mynd. But the cause whie I send you this booke is because if you studie yt well and lyve accordinglye, you shal be thereby taught to feare to do yll. god fforgive me, yf I had done, as nowe I counsell you, this misfortune had not chaunced, and yet behold the mercyfullnes of god, ffor although I was called but at the leventh ower, yeat, I hope, I have taken that instruction out of this booke of lyffe as hathe made me ffytte to enter into battell against the devill, deathe, and all wordlie temptations. god graunt ffor his mercyes sake in my saviour Jesus Christ, that I maie so stronglie in sperytuall grace continue tyll my last breathe. O Philyppe is not this then a worthie booke, that if you plye it thorowlie, will kepe you in awe ffrome deadlye synnynge, and yeat if you falle by the ffraylitie of Adams ffleshe, in this booke I saye you maye ffynde comfort to be againe and agayne renewed and reconsyled to Jesus Christe.

Read this booke, studye yt, and medytate upon yt, and the lorde will blesse you not onelie in this world, but also in the world to come where I most humblye besytche him graunt us a joyfull metinge, where nova ffacta sunt omnia. that is the onelye Kingdom. praye most effectuallie ffor the long preservation of our most gratious Quene, ffor our lord save you, yf ought should chance otherwise than well to her noble person, your myserye should be doubled, and your heavie ffrends perchance strenthened. beware of factions, whereof there be to many, yf you love your owen lyffe, or will save that little, that by happe is left to you. ffayre well deare sonne, as you maie thinke when you se, how muche tyme I have bestowed upon you, at this instant, when tyme is more pretious to me, than all the good of the world, and the lord blesse you all all my deare children (I wryt this to the rest as well as to you) and send you his grace, which is no waie to be obtayned but by ffaithe onelye in Jesus christ, in which ffaithe, the lord of his mercyfull

* Uncouched; *i.e.*, not arranged, unshaped, *see N.E.D., s. v.* couch, § 15.

† *Job* i., 21: "Naked I came out of my mother's womb, and naked I shall return thither. The Lord gave, and the Lord hath taken away. Blessed be the name of the Lord."

T. B. Seaman ph. G. Falkner & Sons London.

Thomas Howard fourth Duke of Norfolk
By permission of the owner
Francis Augustin Wellesley Esquire

To face p. 14.

goodnes strenthen you Alwaies And ever more. Amen. Amen. the xj of ffebruary which within ffower houres might be wrytten, with my hart bloude. remember my lessons and fforget me. wrytten betwene 4 and 5 of the clok

> your erthelye wofull father, but joyfull. I must humblye thank the lorde, that I hope my tyme drawethe so neare, that my soule shall inoye blesse, and leave this crokyd lumpe of synfull ffleshe. sume tyme T. Norfolk now Tho. Howarde.

At the close of the last paragraph (" 5 *of the clok*"), *the Duke has written manu propria this authentication*—examynyd by my selfe.

Several endorsements, Lord Burghley's is, hora v^{a} mane.

We must now look back critically at these farewell letters, and ask whether they seem genuine. May it not be that they were written in order to influence Lord Burghley and others to pity ? We see that the Duke was being tried deceitfully by false reports of instant execution, in order that more ample confessions might be drawn out of him. May it not be he was similarly overstraining his part ? Or perhaps the ministers, who now flocked around him, gave him draft passages, which he might work into his religious letters. And in this survey some note must be taken of the various similar letters written about the same time to Elizabeth and to Burghley, of which a good number are printed in Murdin's *State Papers.*

There can be no doubt that these letters of farewell do show a state of nervous anxiety in the writer, which is abnormal, and perhaps at first sight suspicious. But on second thoughts his being excited ought perhaps rather to seem natural than strange under his circumstances. There is no doubt that the Duke was affected, cowed, and upset, by the terrific tyranny against which he had no protection. His grovelling at Elizabeth's feet was in the fashion of the time : the fault of the age rather than of the individual. His conduct, when thus regarded, is consistent and his utterances reliable. We need not hesitate to recognize how truly human are the outpourings of the father's heart in his letters towards his children. Skypwith the jailer may have sent them to Burghley as censor, but there can be no question that in the writer's mind they were addressed to his children only. Skypwith's subsequent action should not influence our estimate of the Duke's original intention.

In regard to his religious professions, it is not our part to attempt to peer into the depths of his conscience. He had been born amid religious changes, and all his life he had gone with the ebb and flow of succeeding revolutions. Only lately he had spoken to Ridolfi in such a way that several witnesses took his words as a half-promise to turn Catholic. But now he was naturally irate with the Catholic party, whose representatives had so unworthily betrayed him. His professions were strongly Genevan until the end. This is also the family tradition expressed in the *Life,* pp. 4, 9, 171, 174–175. He was beheaded on the 2nd of June 1572.

According to Elizabeth's secretary Davison, it was on Burghley that the Queen laid the blame. " The Duke of Norfolk, the imputation of whose death she laid heavily upon my lord Treasurer for divers years together." Davison's *Apologia* in *Scottish Calendar* ix, 298. This was also affirmed as " notorious " by Sir Walter Raleigh in Murdin, p. 811.

III.

PHILIP HOWARD TO LORD BURGHLEY.

Walden, 16 June, 1572.

R.O. *Domestic Elizabeth*, lxxviii, n. 18. Autograph. This letter was evidently written in consequence of the Duke's Letter III above.

Ut meipsum (honoratissime patrone) omnium infoelicissimum existimo, charissimo meo patre amisso, maxime quod in gravissima serenissimae nostrae reginae indignatione ex hac vita discesserit : sic intelligens quod me cum uxore et fratribus sororibusque meis tuae dominationi quasi alteri patri commiserit et commendaverit, fortunatissimos nos reputo, orans obsecransque, et meo et eorum etiam omnium nomine, ut te eum nobis praestes. Et igitur meipsum et omnes causas meas honori tuo refero, cui me in omnibus causis et addictissimum et obsequentissimum polliceor et nunc et in posterum semper esse futurum. Praeterea ardentissimis precibus a te contendo ut velis nobis iam patre nostro orbatis excellentissimae principis nostrae gratiam et claementiam tua opera reconciliare ; sperans claementissimae reginae bonitate, et tuo prudenti et fideli consilio, quod iam pater merito amiserit id nos aliquando posse recuperare. Jam me nosque omnes tibi committens et tradens honorem tuum humillime valere iubeo. Waldini decimo sexto Junii.

Humillimus adoptivus tuus filius, si talem me digneris accipere, Philippus Howardus haud ita pridem Comes Surriensis.

Addressed.—To the right honourable and my very good Lorde the Lord Burleigh.

Endorsed.—xvi Junii 1572. The Earl of Surrey to my Lord.

IV.

BOYHOOD.

1. George Laughton to Lord Burghley.

16 June, 1572.

Together with the above came a letter from Philip's tutor (*Ibid.* n. 19). Philip was at the time close to his 15th birthday, Thomas was eleven, William eight and a half.

Audio (illustrissime vir) Dominum meum nuper Ducem Norfolciensem liberos suos totamque adeo familiam tuae fidei, tuoque patrocinio commendasse. Quamobrem iam meum esse, existimo (quoniam mihi commissi fuerunt instituendi) te certiorem facere de eorum et in literis, et in virtute progressu. De virtute sic accipito, nullius rei me unquam maiorem curam, quam eorum pietatis, et religionis habuisse. Qua in re non me operam, laboremque perdidisse puto, sed potius, mirificos eos ex hac mea qualicunque hac in parte diligentia, fructus et utilitates percepisse. De doctrina, quantum mea opera profuerint, aliorum sit iudicium. Hoc tempore quid singuli legant, et quibus in studiis sese exerceant, paucis honori tuo declarabo. Maximus natu nuper Comes Surrianus mane quosdam dialecticorum iocos memoriter pro-

nunciat, et ex hijs argumenta quaedam confirmandi et refutandi colligit. Tum ei quaedam ex Homero preleguntur, quae postero die ei memoriter dicenda sunt. Post hanc grecam lectionem se in Gallica lingua semi hora exercet, postremo, priusquam e schola discedit, legitur capitulum aliquod ex euangeliis, et quae maxime in eo animadversione digna videntur, diligenter perpenduntur et considerantur. Post prandium cum aliquandiu se in scribendo occupauerit, prelego aliquid ex Ciceronis partitionibus oratoriis quod iste in posterum diem memoriæ committit. Postea ad T. Liuium accedit, ubi cum aliquanto spatio commoratus fuerit a Liuio recedens in Italica lectione occupatur; post Italicam lectionem, in Sacrarum scripturarum lectione, ut in reliquorum nostrorum omnium studiorum fine, requiescimus et aliquot ex apostolorum epistolis perlegimus, et notatis et animadversis quae volumus, defatigatis animis potestatem se reficiendi et colligendi concedimus. Alii duo in Catechismo M. Noweth versantur, quorum qui maior natu est, mediocres progressus fecit. Alter et ad percipiendum est tardior, et (quod magis mirari soleo) ad id custodiendum quod perceperit, infirmior. Particularius de hijs scribere epistolae meae prolixitas et longitudo non patitur. Et aliud tempus ad hanc rem (si ita honori tuo videbitur) satis esse potest accomodatum. Valeat tua Dominatio
16 Calend. Quinct

Honoris tui humillimus servus
Geor. Lawghton.

Addressed.—To the right honourable and my very good Lorde, the lord Burleigh.

Seal gone.

TRANSLATION.

I hear, honoured Sir, that my lord the late Duke of Norfolk committed to your protection and patronage his children and indeed his whole family. I deem it therefore my duty (as their education was entrusted to me) to write to you of their progress in learning and virtue. As to their virtue, believe me I never took greater pains over anything than over their dutifulness and religion. I do not think my toil and labour in this have been lost, nay the children have reaped wonderful fruit and profit from my industry such as it has been in the matter. How much they have gained in learning by my toils, let others judge. At this present I will briefly declare to your honour what books each is reading and what studies they engage in.

The oldest, lately Earl of Surrey, each morning declaims from memory some bright sayings of the logicians (*dialecticorum iocos*), and takes from them subjects for arguing pro and con. Next some lines of Homer are read over for him which on the following day he will speak by heart. After this Greek lesson he has half an hour's practice in French. Lastly, before leaving school a chapter from the Gospels is read, and whatever in it seems most noteworthy is diligently weighed and considered. After dinner he spends some time in writing, and then I read over a portion of Cicero's *Partitiones Oratoriae* which he commits to memory for the next day. Thereupon he comes to T. Livy, and after some time with this author passes to an Italian lesson, and thence to a lesson in sacred scripture wherein we linger, as in the end of all our other studies; we

read something out of the epistles of the Apostles and after noting and marking what we want, allow our tired minds to refresh and restore themselves.

The other two children are engaged with the *Catechism* of M. Noweth [*i.e.*, Nowell]; the eldest of them has made moderate progress; his brother is slower of perception and, to my greater wonder, weaker in retaining what he has perceived.

The length of my rambling letter forbids me to write in more detail of these points. Another opportunity, if your honour approves, can be found to deal with the matter. Farewell, your Lordship. 16 June.

Your honour's most humble servant,
George Laughton.

2.

LORD SURREY'S HOUSEHOLD.

R.O., *Domestic Elizabeth*, lxxxi, n. 41. The following list is accompanied by a letter from Sir Christopher Heydon and William Buttes of 12 October, 1571. They say that on receipt of the Council's letters on the 7th, they immediately went to Kenninghall, and appointed three score five persons, whose names the Lords had sent down on a schedule; all would depart this day for Walden. There were also at Kenninghall 60 and odd persons, ordinarily attending on the Duke of Norfolk, not in the schedule. They have gone to their friends contentedly. But Myles Hearing, John Parke thelder, Roger Carrell, and Kenningtree are aged and friendless.

The names of suche persons as are appoynted to remove to Walden, & there to remayn in ordenary.

	my Lo. of Surreye
	my La. of Surreye
	my Ladie Margaret, My Lo. Thomas, My Lo. Willm } Howard
	m^rs^ Marye, m^rs^ Elizabeth } Dacres
	mabell Preston
	Bridgit Heveningham
	Jane Goodman
	Nurse ffoster
	Mr Lawton scholem^ter^ with a man
	Willm myddleton
clerke comptroller	Edward Pecocke with a man
gent wayters	John Rogers with a man
	John Cornewaleys, Richarde Haughton } with a man
	Thomas Whytneye or Eawstace Tyrrell with a man
A page	Edwarde Graye
	One Chapleyn
	John monke clerke of the Kytchin with a helper
Groomes of	Thomas West
ye chamber	Vincent Sadler
	Thomas Crokelane

Philip Howard Earl of Arundel
From a portrait at Arundel Castle
by permission of the Duchess of Norfolk

To face p. 8.

Cath. Rec. Soc. xx

Yeomen Wayters	Thomas Cuddon	
	Rychard Hasset	
	Thomas Colson	
	John Parker younger	
	Rychard Ogden	
	Launcelot Baker	
	John Rychards	
cello^{r} [?] Eawrye	Antonye Rumneye	
buttry and pantry	Rycharde Bryan	
	John Calf	
Porter	Treamor [?Trevenor] Carter	
Bakers	John Token with a helper	
Wardrobbe	Thomas Cotes	
The Kytchin	James Banks	
pastrye lard^{r}	Robt Gudging	
and Scoollery	Willm. Bucke with a helper	
Slaughterman	John Cuckoo	
Cato^{r}	Rycharde Hyde	
Groomes of	Thomas Bennet	
the stable	Mathewe Whytefeeld	
	Bryan Sympson	
	One footeman	
Launders	Marye Mowse	
	Cecilye Nanseye	
	A woodbearer	
	Sir Nicholas le Straunge knight my Ladie his wyfe with ij women and iiij men	} viii

The number of persons lxv

V.

PHILIP HOWARD TO LORD BURGHLEY.

1.

Audley End, 4 May, 1573.

R.O. *Domestic Elizabeth*, xci, *n.* 22. Autograph.

Although I finde no specyall cause of writing unto yor Lo. at this present, the cause whereof I wholly ascribe unto yor Lo. fatherly and carefull procedinge in all my causes; yet can I not let this messenger passe without some remembrance of my dutifull affection and thankfull mynde. Wishinge I were as well able in anye respecte to discharge the lest part of that service, wherein I am indebted, as both I am and ever will be redye to acknowledg and confesse yor Lo. goodnesse both to me and my derest friendes. This whole company continueth in good helth, and prayeth for yor Lo. preservacyon as for theire chief and specyall patrone. And thus with myne humble commendacyons, I take my leave; ffrom Audley End, this 4 of May.

Youre Lo. most humble
and obedient adopted sonne,
Phil Howard.

Addressed.—To the righte honorable my very good Lord, the Lord Burleye, Lord High Threasoere of England, and one of hir Ma^tyes most honorable privy counsell.

Endorsed in Burghley's hand.—2+ [This mark generally signifies important]: 4 May, 1573: Er. of Surrey.

2. The Same to the Same.

Audley End, 31 December, 1575.

B.M. *Lansdowne MS*, xx, p. 146. Autograph. The letter to the Queen, which was enclosed, is now missing.

My very good Lo., as your Lo. great curtesye hath ever emboldened me to trouble you farther, then otherwise I durst have presumed; so enjoyned as well by your Lo. directyon, as also in former prescribed by your Lo. carefull oversight of my welldoinge, to write at this present unto hir mat^y, I have accordingly performed my bounden duty. With the conveyance of the same unto your Lo. leavinge the consyderation of the rudnes to be as well favourably waighed by your grave Judgment; as also the imperfections and errours, to be amended and supplyed by your Lo. perfytt wisdome. Thus as your Lo. hath bene next unto hir Mat^y the cheife uphoulder of my weake and unhappy estate; as by your singuler favoures, beinge the more enforced thereunto, I most ernestly beseech Allmighty God to adde unto your worthy verteues dayly, such increase of grace as good Fortune; that this happy realme, to the comfort of all your ffriends, maye many years enioye the blessed fruitys of such an excellent member. Audley End. This last of december.

Your Lo. most humble and obedient adopted sonne, Phil Howard.

Endorsements.—(1) Ult. Decemb. 1575: The Erle of Surrey to my Lord: his letter to hir majestie.

(2) [*Strype's hand*] Sent to the Ld. Tres. to bee first corrected and then conveyed; acknowledging his Lordship's favours.

(3) He was the eldest son of the Duke of Norfolke 3 years before beheaded. He was afterwards made Earl of Arundel and turned Romanist in discontent.

Chronology—5. Education.

1565 (?)–1570. Philip's first tutor was Gregory Martin, afterwards one of the translators of the Rheims Testament. Martin took his M.A. degree at Oxford in 1564, and in his letter to his sisters, affixed to *Christian Peregrination* [1583] he writes that afterwards "it pleased the duke to make me though unworthy, tutor to the earl his son. As long as his grace did prosper, I lived in his house to my conscience without trouble; when he was in the Tower, and other men ruled his house, I was willed to receive the communion or to depart. If I would have yielded, I had very large offers, which I need not tell. It pleased God to stay me so with his grace, that I chose rather to forsake all, than do against my belief. . . . For a time I lay secretly in England; afterwards I came beyond the seas. . . ." Bliss, *Athenae Oxonienses*, 1813, I, 489. The Duke visited Oxford in 1568 and was congratulated at St. John's College on having secured the services of Gregory Martin, a brilliant fellow of that College. *Ibid.* 487. Wood, *Historia et Antiquitates Universitatis Oxoniensis*, 1674, Lib. ii, p. 424.

Between 1568 and 1570, John Gordon, eldest son to the Bishop of Galloway, was entitled pedagogue to the young Earl of Surrey. But certain hostile notes, supplied to Lord Burghley by H. Killigrew, make out Gordon to be a venal agent of politics. *Hatfield Calendar* ii, n. 120. R.O. *Foreign Calendar* n. 762, 8 Feb., 1573.

No one has mentioned Fox as one of the educators of Philip Howard; but as the Duke patronised the Martyrologist, it is probable that Philip, as a boy, may sometimes have been taken to his sermons. (*See also* p. 348.)

We have just seen, in No. iv, a letter from George Laughton, the tutor, in 1572. In October, 1575, Laughton wrote again, explaining to Lord Burghley the method followed by him in teaching the Earl of Surrey; he specifies the books read by him and the time devoted to each. *Hatfield Calendar* ii, n. 335. Owing to precautions necessitated by the war, this document is not at present accessible.

"When he was about 15 years of age [? 1572] together with his two younger Brothers he went to the University of Cambrig, and remained there two years or thereabouts." *Life*, p. 11.

VI.

GRACE FOR DEGREE OF MASTER OF ARTS.

University of Cambridge, 12 November, 1576.

H. and T. Cooper, *Athenæ Cantabrigienses*, 1861, ii. 187.

Conceditur ut honoratissimus Dominus, Dominus Philippus Howard, Comes Surrey, coöptetur in ordinem Magistrorum in Artibus sic ut non arctetur ad aliquam ceremoniam solitam observari ab incipientibus in eâdem facultate, sed tantum admittatur ad placitum, sic ut eius admissio stet ei pro completis gradu et formâ, et promittat observantiam privilegiorum et consuetudinum huius Universitatis approbatorum.

Memorandum: Quod idem presentatus est 12° Novembris per Doctorem Chaderton in habitu Regentis et dedit fidem Doctori Whitgift (tunc deputato Domini Procancellarii) ut Marchio Northampton superiori folio, et agnovit Dominam Reginam supremam gubernatricem,* etc., et admissus est ut reliqui ad gradum magisterii flectendo et osculando.

Chronology—6. The Earl as Courtier.

In his letter to the Queen of 1585, the Earl speaks of "my first coming to the court, which was 9, or 10 years past at the least." *Life*, p. 33. None of the extracts gathered below go back as far as 1576, 1577: but it is impossible to treat this phase of the Earl's life completely here. For one side of it we may cite the *Life*, pp. 12 to 17, where the evil effects of the court's atmosphere on his character are enumerated, and attention is drawn to his very heavy expenses. The latter indeed are sufficiently accounted for by his receptions to the Queen.

August, 1578, entertainment at Kenninghall and Norwich. "The earle of Surrey did shew most sumptuous cheere, in whose park were speaches well set out, and a speciall device much commended." Nichols, *Progresses*, ii, 130–131. Holinshed's *Chronicles*, 1808, iv, 376. †

* The Oath of Royal Supremacy in Spirituals had to be taken by those receiving University degrees.

† This 1578 "Progress" of the Queen in Norfolk furnishes an example of the vexations to which Catholics were subjected. It also marks the first appearance of the treacherous persecutor, Richard Topcliffe. See Jessopp, *One Generation of a Norfolk House*, 1878, pp. 61, 62, and Notes, for the imprisonment of the Queen's host of 10th August, and for the harsh treatment of several Catholics among the gentry assembled to do her honour on 16th August.

"On wednesdaie [20 Aug. 1578] hir highnesse dined at my lord of Surreis, where were the French ambassadors also, at a most rare and delicate dinner and banket." Holinshed, *Ibid.*, 393.

Roll of New Year gifts A° 21 *Eliz.* [1579]. "By therle of Surr', a gyrdill of tawny vellat embrawdered with sede perle, the buckyll and pendant of golde." Nichols, *Progresses*, ii, 250.

Gifts given by her Maj. "To therle of Surr', a guilte bolle, with a cover, Brandon per oz. 24 oz. ℈di." *Ibid.*, 265.

2–3 March, 1579. "It is but vain to trouble your Lordship with such shows as were showed before her Majesty this Shrovetide at night. The chiefest was a device presented by the persons of the Earl of Oxford, the Earl of Surrey, the Lords Thomas Howard and Windsor. The device was prettier than it happened to be performed, but the best of it, and I think the best liked, was two rich jewels which were presented to her Majesty by the two Earls." Gilbert Talbot to his father, the Earl of Shrewsbury, 5 March, 1578–9. Printed, Edmund Lodge, *Illustrations of British History*, 1838, ii, 146, from Talbot Papers, Vol. F., fol. 295. This letter written on the Thursday night of the week of the performance indicates that the young actors were not perfect on their first appearance.

"With respect to giving hostages for the coming of Alençon, it is proposed that the earls of Surrey and Oxford and Lord Windsor should be chosen, because, although they are only youths, their houses are very ancient and of high rank." Bernardino de Mendoza to the King. London, 8th April, 1579. *Spanish Calendar*, 1568–1579, n. 565.

The Roll of gifts printed by Nichols for the New Year 1580 is very defective, and Philip's name does not appear in the fragment. *Progresses*, ii, 289.

1580. "An honourable Challenge was brought before her Majestie by the Earle of Arundell, calling himself Callophisus; who with his assistant Sir William Drurie, challenged all comers anno 1580."

The defenders were the Earl of Oxford, the Lord Windsor, Phillip Sidney, Edward Norris, Henrie Knowles, Robert Knowles, Fulk Grivell, Thomas Knevett, Thomas Kellaway, Rafe Bowes, George Goring, George Gifford, Anthony Cooke, Henrie Bronkard, Edward Denny, Richard Ward, Thomas Parrot. The prize was given to the Earl of Oxford. Nichols, ii, 334.

April, 1580. Succession to the earldom of Arundel. *See* Chronology 7.

New Year's tide 23 Eliz. [1581]. Jewels at Newyeartyde. "Item a bodkin of goulde with a pendante, being a cradell garnished with small dyamondes. Given by therle of Arundell." *Ibid.*, ii, 301.

George Bohun to Wm. Herle. The court, April 25, 1581. . . . "My Lord of Arundell insteade of feastes entertaineth them [the commissioners from France for the marriage] at tilt and tourney." Wright. *Queen Elizabeth and her Times*, 1838, ii, 133.

May 15, 16, 1581. *Declaration of the Shews, etc., performed before the Quene's Majestie and the French Ambassador Monday and Tuesday in Whitsuntide*, 1581. "This challenge and triumph was deferred . . . till 1 May, then to 8 May, then . . . to Whitson Monday, when they first began to perform it.

"All being thus in readiness the challengers approached and came from the stable towards the tilt yard. First the Earle of Arundel entered the tilt yard, all in a tilt and engraven armour, with caparisons and furniture all richly and bravely embrodered, having attendant on him two gentlemen Ushers, four pages riding on four spare horses, and twenty of his gentlemen. All which aforesaid were apparyled in short clokes and Venetian hose of crymson velvet, layd with gold lace, doublets of yellow satten, hattes of crymson with gold bands and yellow fethers, and yellow silk stocks. Then

had hee six trumpetters that sounded before him; and 31 yeomen that waited after him apparrailed in cassock coats, and Venetian hose of crimson velvet, layde on with red silk and gold lace, dublets of yellow taffatie, hats of crimson taffetie, with yellow feathers and yellow worstead stockings." Nichols, *Progresses* ii, 312. Another recension of the same account as the above is printed Holinshed's *Chronicles*, iv, 435–445. The entire triumph is an allegory urging the Queen's marriage with the Duke of Anjou. The four challengers are called four "Sons of Desire" and their challenge is directed to Elizabeth herself enthroned in the fortress of Beauty.

1582. "Jewels at Newyere's tyde 1581–2 . . . Item a payre of braceletts of golde containing eight peeces in every of them an ametest, and eight other peeces, and in every of them a perle—Given by therle of Arundell." [His name is second on the list, coming next after Leicester's.] Nichols, ii, 387.

1583. "Juells given to her Majestie at New yeres tide, 1582–3. 25 Eliz. Item, a jeuell of golde, garnished with small dyamonds, and rubyes, standing upon a hope with smale perle pendant. Given by therle of Arundell." *Ibid.* 396.

1584. No gift from the Earl of Arundel; he was at the time in restraint.

1585. "Jwelles given to her Majestie, at Newyer's-tyde 1584–5. A carkyonett of gold, containing seven peeces of gold, six true loves of small sparkes of dyamonds, and many perles of sundry bignes, and small sparks of rubyes. Given by therle of Arundell." *Ibid.* 426. This is the last appearance of the Earl's name in these lists.

Chronology—7. The Earldom of Arundel.

Henry Fitzalan, 12th earl of Arundel, and last earl of his line, died 24 February, 1580. On the same day at Arundel a deed was drawn up conveying to Philip, grandson to the late earl on his mother's side, the life interest under a fine of 1570 of Lord Lumley in the Castle and Honour of Arundel. In virtue of this conveyance Philip Howard demanded to be summoned to Parliament as Earl of Arundel; and an enquiry established his claim as being in accordance with the royal admission of 2 Henry VI printed in *Rotuli Parliamentorum* iv, 443. *See* Tierney, *History of Arundel*, 1834, i, 19, 129; ii, 371, where are quoted original deeds and bonds at Norfolk House. "Sussex Box 7, Bundle A., and Bundle A2, No. 33*a*." His claim was soon recognized, and the courtesy title of Earl of Surrey then ceased. As Lord Surrey his name had been mentioned last among the lords in the *Lists of New Year's Gifts*, mentioned in Chronology 6. As Earl of Arundel (both there and in the lists of the House of Lords) he precedes all Earls, and comes next after the officers of the Royal household.

Chronology—8. The House of Lords. 1580–1581.

Philip Howard was present as Earl of Arundel among the few peers assembled in the House of Lords, 11 April, 1580 (not 1581 as in G. E. Cokayne, *Complete Peerage*, 1910–12, i, 252), with commission for the prorogation of Parliament. He took part in the same formality on 2 May, 30 May, 20 Sept., 17 Oct., and 24 Nov. *Journals of the House of Lords*, ii, 13, 14, 15, 16, 19. On 8 May, 1580, he took the arms of Fitzalan only (*Complete Peerage*, i, 252).

A writ was sent to "Philippo comiti Arundell" summoning him to the Parliament of 23 Elizabeth, and again to that of 26 Elizabeth. Sir Wm. Dugdale, *Summons of the Nobility to Parliament*, etc., 1685, p. 528, 529.

The following table shows his "presences" in the Lords; that is, his name was then marked with letter p. in the Journals:—

January, 1581—16, 19, 22 p.m.

February—1, 8, 9, 11, 11 p.m., 13, 15, 16, 18, 20, 21, 22, 23, 25, 27.
March—1, 4, 6, 7, 8, 9, 11, 13, 14, 15, 16, 18, 18 p.m.
Presence (p) is not marked on :—
January—18, 23, 24, 26, 28, 30, 31.
February—4, 6, 7, 28.
March—2, 2 p.m., 3, 3 p.m., 7 p.m., 8 p.m., 10, 17.

The Journals at this period give few details about the bills before the House, and no indications of the votings. In this session, however, the severe law against Catholics, 23 Elizabeth, chapter I, was passed. It was on Thursday the 9th and Friday the 10th of March that the bill restoring the Earl in blood was read, the second and third time on Friday, and sent to the Commons. Royal assent on the 18th.

VII.

ACT RESTORING THE EARL IN BLOOD.

March, 1581.

R.O., *Parliament Roll*, 172, 19.

19. *An acte for the restitution in blood of Phillippe Earle of Arundell.*

Exhibita est Regie Ma^ti^ in parliamento predicto Billa quedam formam actus in se continens.

In moste humble wise shewith unto your highenes your faithfull and obedient subiecte phillippe earle of Arundell, eldest sonne of Thomas late duke of Norff., That where the said Thomas late duke of Norff., late ffather of your said subiecte, was by the course of the common Lawes of this your highenes realme of England attainted of highe treason, and by reason thereof your said subiecte dothe stand and ys a person in his bloode corrupted to his greate greefe and sorrowe ; Maye it therefore please your highenes of your moste noble and abundant grace, at the humble petiton of your said subiecte, that it maye be ordeyned established and enacted by your highenes, and by thassent of the Lordes spirituall and temporall and of the commons of this present parliament assembled, and by the aucthoritie of the same, That your said subiecte and his heirs bee and shalbe from henceforth, by the aucthoritie of this present acte, restored and enabled onely in bloode as sonne and heire to the said Thomas late duke of Norff. in suche the same like manner fourme and condicion, to all intentes construccions and purposes as yf the said Thomas late duke of Norff. had never byn attainted, and as thoughe suche attainder of the said Thomas late duke of Norff. had never byn had nor made. And that your said subiecte and his heires maye and shall from henceforth be enabled to demande aske have hold and enioye all and everye suche honnors castells mannors Lordshippes Landes tenements rentes revercions remainders, and all other manner of hereditamentes with their appurtenances whatsoever, whiche at any tyme hereafter shall come remaine discend or reverte from any lineall or collaterall anncestor or anncestress of your said subiecte, in suche the same like manner fourme and condicion to all intentes construccions and purposes as yf the said late duke father to your said subiecte had never byn attainted, and as thoughe suche attainder of the said late duke had never byn had or made. And that your said subiecte and his heires maye from henceforth use and have any accion or suite and make his petigree

and conveyaunces in bloode as heire aswell by to and from the said Thomas late duke of Norff. as also to and from any other parson or parsons, in like manner fourme and degree to all intentes construccions and purposes as yf the said Thomas late duke of Norff. had never byn attainted and as yf no suche attainder were or had byne made ; the corrupcion of bloode betwene the said Thomas late duke of Norff. and your said subiecte or his heires, or any cause matter or Judgement touching or concerninge the attainder of the said Thomas late duke of Norff., or any other thing wherebye the bloode of the said Thomas late duke of Norff. or of your said subiecte or of his heires was ys or should be corrupted, to the contrarie in any wise notwithstandinge. SAVINGE to your highenes your heires and successors, and to all and everye other person and persons, bodies pollitique and corporate, their heires and successors and to the heires and successors of them and everye of them, all suche estate estates possession right rightes title interest charge revercion remainder remainders lease and leases condicion condicions commons rentes and all other profittes charges and comodities whatsoever, as your highenes or as they or any of them have of in or to or out of any mannors landes tenementes or hereditamentes whatsoever by reason of the said attainder, in suche like manner condicion and fourme to all intentes construccions and purposes as thoughe this acte had never byn had, ne made ; any thinge in this acte conteyned to the contrarie thereof notwithstanding. And your said subiecte shall daylye praye to god for your highenes in healthe and greate p'speritie longe to contynue and raigne over us.

CUI quidem BILLE prelecte et ad plenam intellecte per dictam dominam Reginam ex autoritate Parliamenti
predicti sic responsum est
soit faicte come il est desirè.

CHRONOLOGY—9. PUBLIC OFFICES.

Collins's *Peerage*, i, 107, appears to be in error in saying that the Earl was appointed a Privy Counsellor. *The Acts of Privy Council*, N.S., edited by J. R. Dasent, show that his name never appears at meetings from 1580 to 1583 (after which time a lacuna ensues). On the other hand these same registers show that the earl was from time to time engaged in public offices and employments in the countries where his property lay or his influence extended.

8 May, 1580 (*Ibid.* xii, 8). A letter to the Lord Chancellor, that in virtue of his powers for making commissions for taking musters in exempt places, he should direct one for the city of Chichester under the great seal "to Philip Earl of Arundel, Anthony Viscount Montague, Gregorie Lord Dacres, John Lord Lumley, Thomas Lord Buckhurst, William Lord Delaware, the Mayor of the city for the time being, Sir Thomas Palmer, senior, Knight, Sir Thomas Shirley, Knight, Richard Lewknor, Esq., recorder of the city, Thomas Lewkner, Radulphus and Thomas Adams, Aldermen."

5 July, 1580 (*Ibid.* xii, 82). A letter to the Earl of Arundel, that the Queen requires the castle of Framlingham, in order to confine there recusants of the counties of Norfolk and Suffolk. Her officers will undertake repairs while the buildings are applied to this use.

4 July, 1581 (*Ibid.* xiii, 117). A letter to the Earl of Arundel, the Lord Buckhurst, Sir Thomas Shelley, Richard Shelley, "to examine certain disordered persons in the town of Brithelmestone."

14 August, 1581 (*Ibid.* xiii, 175). A letter to the Earl of Arundel. The ship Popinjay, of Horne in Holland, "which has been rescued by his Lordship's means," is to be returned to Cornelson.

30 August, 1581 (*Ibid.* xiii, 187). Whereas the pirates Daniel, Hunter, Page and Richards, arrested by the Earl have escaped, the constable, from whom they got away, is to be examined, and imprisoned, if he is found culpable.

1 April, 1582 (*Ibid.* xiii, 377). A letter to Edward Gage of Bentley. Where he, as executor for the late Lord Southampton, has to search for and produce certain evidences before Lord Arundel and the Chancellor, a respite is granted him until next term.

[There is a break in the registers from 1583 to 1587.]

Chronology—10. Literary Dedications.

In 1580 and 1581 Wm. Temple dedicated to the Earl of Arundel a couple of learned tracts, in which he championed against the Aristotelians the new logic of Pierre de la Ramée (Ramus) and his sole method of reasoning from universals to particulars, exclusive of the inverse process. The Ramist side in this controversy, besides being "humanistic," received the support of Protestants because the Calvinist Ramus had been a victim of St. Bartholomew's eve. Everard Digby as the protagonist in England of the Aristotelians published in 1580 a criticism of Ramus entitled "*De Duplici Methodo*," etc. Temple, who had been a pupil of his, replied under the pseudonym Mildapettus with "*Francisci Mildapetti Navarreni ad Everardum Digbaeum Anglum admonitio de unica P. Rami methodo, rejectis caeteris, retinenda.*" Londini. Excud. Hen. Middletonus impensis Thomae Mann, anno 1580. The dedication is "Illmo. Dno., Dno. Philippo Comiti Arundellio, F.M. Nav. S.D." The dedicatory epistle alludes to Lord Henry Howard's knowledge of dialectics, and offers the *Admonitio* to Philip as a patron of students.

Digby replied next year under the pseudonym Diplodophilus.

Hereupon Temple, under his own name, printed "*Pro Mildapetti de unica Methodo Defensione contra Diplodophilum, commentatio Gulielmi Tempelli e regio Collegio Cantabrigiensi.*" The British Museum copy is of the Frankfort reissue 1584. He addresses his dedicatory letter to Earl Philip, whom he had known at Cambridge. He styles the Earl his Maecenas, and discloses to him his own identity with Mildapettus. All know of Philip's zeal for letters, especially valuable from one of such illustrious dignity. "Illmo Dno, etc., Philippo Comiti Arundellio, Maecenati suo. Quod superiore anno efficere conatus sum, Illme Maecenas, ut scilicet erga amplitudinem tuam publicum aliquod testimonium extaret observantiae meae, idem nunc in re consimili perlibenter quidem aggredior. Sed tum velut refugiens a luce et sub nomine Mildapetti delitescens, comitis Arundelii virtutem praedicavi. Nunc deposita Persona hominis Navarreni, et tamen potius tempori quam verecundiae meae obsecutus, lucem aliquando tandem aspicio . . . "

In 1581 James Bell, Prebendary of Wells, published *Against Jerome Osorius: taken in hand by M. W. Haddon, continued by M. John Foxe, and now Englished by James Bell.* London, John Daye, Anno. 1581. In his introductory letter to "the right honourable and my very good Lord Phillipe, Earle of Arundell," Bell fulminates against the "counterfeit synagogue of Rome" and "the blockish insensibility" of "our more than Iewish Romanistes." He owns that his translation "doth not attain that absolute perfection, as the dignity of the matter doth require"; still he hopes that "it retcheth the utter overthrow o the malignant church of Sathan," etc., etc.

VIII.
FIVE DISPATCHES OF THE FRENCH AND SPANISH AMBASSADORS.

London, 20 November, 1580, to 6 March, 1582.

THE dispatches of the two great Catholic powers throw, as one might have expected, a valuable light upon the commencement of the career of Philip Howard (Dispatches i, ii). On the subsequent course of his fortunes we can find but little, owing presumably to the breaks and disorder in the sequence of the dispatches (iii, iv, v). But as to the close of that career we are again fortunate in finding information (*see below* XII).

As to the general import of the correspondence we shall grasp it best by keeping in mind the fortunes of the proposed match with France. From papers already printed, especially in the *Hatfield Calendars*, we know that the marriage project had been renounced by England in January, 1580, or rather that the English Government then definitely aimed at the very unworthy policy of substituting for the marriage treaty a league with France to make war on the Spanish Netherlands. But Elizabeth only yielded unwillingly to this, because constrained by her ministers; and she continued her flirtations more violently than ever. This is vividly shown in the first letter. Here the Court Catholics, and conservatives, Earl Philip among them, are still in favour of the match. In the next letter we see the influence of Protestant intrigues, which, to the Queen's regret, lead to the breaking up of the Catholic Court party and also to the weakening of the French Ambasador's position.

Dispatches iii, iv, v are Spanish (December 25, 1581, to 6 March, 1582). A considerable change in the balance of parties has taken place. French influence has sunk, and Spanish is rising again. Lord Henry has gone over to them, and he is exerting his influence over the Earl, his nephew, to draw him in the same direction. The cleavage is becoming more marked between the Puritanical party, which is advocating war with Spain, and the conservatives, who inclined to Catholicism and to the Spanish alliance, which they identify with the ancient alliance of England and Burgundy. This alliance was hereditary in the middle ages, for much the same reasons as modern England is the natural ally of modern Belgium.

Mendoza's dispatches give special importance to the part played by Lord Henry Howard, and indicate that he influenced his nephew considerably. A few words must, therefore, be added about his character and career.

Lord Henry Howard (1540–1614) afterwards (1604), Earl of Northampton, was the younger brother of Duke Thomas, and he suffered severely under the Tudor tyranny throughout Elizabeth's reign, and especially in the cause of religion. After his father had been murdered by Henry VIII, his education was entrusted to John Foxe. But upon Mary's accession he became attached to John White, Bishop of Lincoln, under whom he continued his studies very successfully from a Catholic ground-point. On Elizabeth's accession he was sworn to the new religion and sent to Cambridge, where he took his M.A. in 1564, and then to Oxford, where he attained the same honour in 1568. These academic distinctions naturally gave him considerable influence over the education of his nephews at Audley End, but we know no details. It was to be expected that his authority would have been most impressive when the young lord Surrey came up to court, in 1577 to 1578, and found that his brilliant uncle was already making his mark there. About the same time the Catholic reaction was gaining ground everywhere, and Lord Harry seems to have been an early convert. Mendoza, writing at the end of 1581, vaguely dates this as "some years" before, and says that he practised the creed he professed (*below* III).

About the same time, he supported the marriage of Elizabeth with the Duke of Anjou (Alençon). It is the fashion of modern writers to mock at this match, and, of course, it has its ridiculous side. But Anjou was sincere in his Catholicism, and in his insistance that his religion must be respected; and he gave up the match when adequate assurances on this point could not be obtained. Lord Harry then had had good reason for supporting the marriage proposals.

Besides what we are told below of his activities in this cause, we hear from the *Hatfield Calendar* that he was sent to France by Elizabeth herself to treat with the French Duke in the August and September of 1581. At the same time we now see that he is inspiring his nephew with thoughts higher than those of the giddy courtiers around him. He is reminding him of the bygone glories of the old cause, and insisting on his keeping alive the memory of his father's death; that is, he is warning him against the fashionable sin of the day, blind submission to absolutism.

But the conclusion of Lord Henry's career cannot, from a Catholic point of view, be put into comparison with that of his nephew, and Mendoza's praise must be qualified by us with the recollection, that the ambassador was speaking from political considerations. Lord Henry remained a Catholic indeed (he is named as a trustee for a private Catholic charity as late as 1612), but he was clearly a courtier first and a Catholic afterwards. Though he suffered much during the whole of Elizabeth's reign, he is reported, in July, 1586, to have advised Earl Philip (but in vain) to save himself by going to heretical service (Murdin, *State Papers*, p. 528). Later on, under King James, he supported the oath of allegiance, and allowed himself to be put forward as a conforming Catholic. Thus he was set over the commission for the banishment of priests in 1604, and over that for the trial of Father Garnet in 1606. The sun of James's favour made him relax more than the blasts of Elizabeth's persecution. He seems to have been very widely read, and a man capable of writing on deep subjects, as the law against astrology, &c.; but he was a doctrinaire, and in regard to the church a gallican. A short biography will be found in the *Dictionary of National Biography*, and many of his letters may be found among our public records.

Dispatch 1.

Mauvissière de Castelnau to the King of France.

London, 20 November, 1580.

R.O. *Transcripts from Paris* 28, ff. 289–290.

Au Roy—Sire . . . [He goes with Elizabeth to Richmond, and then thought of return] Je déliberay sans dire mot, de m'en aller jusqu'à Londres . . . mais d'avant que j'en fusse à trois ou quatre mil la dicte royne m'envoy en poste le Sr d'Arandel [Charles Arundell], qui est son parent,* pour me prier de retourner; et ce courroussa contre lediet comte de Lestre et de Sussex, &c. . . .

Le lendemain qui estoit le jour du couronnement elle est venue elle mesme à Londres ou il y avoit un grand tournoy à courir en lice pour celebrer ce diet jour, et sy trouva plusieurs seigneurs et jeune noblesse, qui ont fort bien faict, comme ilz ont ceste exercisse presque ordinaire; et le comte d'Arandel, qui est aussi un grand serviteur de vostre magesté et de monseigneur vostre frère, de quoy la dicte dame

* Charles Arundell, Father Persons in his *Memoirs, C.R.S.* i, &c., often calls him Cavalliero, or Sir, doubtless to indicate that he came of a knightly family.

Charles Arundell was second cousin to Queen Elizabeth and second cousin once removed to Philip Howard.

l'estime d'avantage, a fait toute la despence, qui est fort grande, et la dicte royne est allée privément loger en sa mayson audit Londres, ou elle a esté deulx jours et demy, ayant eu diversitez de passetemps et de bonnes chères, ayant tousjours desiré que je luy aye faict compagnie audict Londres, et a envoyé querir ma femme et mes enfans et jusques au plus petit qui est dans le berseau, leur ayant fait beaucoup d'honneur en disant que cestoit un présage que les francoys ne seroyent pas infertilles en Angleterre, monstrant d'avoir beaucoup de regret de perdre encores du temps à ce marier, &c., &c.

Dispatch ii.

The same to the same.

11 January, 1581.

R.O., *Transcripts from Paris* 28, ff. 304 to 306, Depesche 304.

Au Roy—Sire, &c.—Je n'obmetteray aussi à dire à vostre magesté que il y a quelques jours et ses festes de Noel, que le comte Dauxfort (lequel avoit fait, il y a environ quatre ans et demy, à son retour d'Italie, profession de la religion catholique), avec quelques gentilhommes de ses parens et meilleurs amys, et juré, comme il dit, et signé auec eulx, qu'ilz feroient tout ce qu'ilz pourroient pour l'advancement de la religion catholicque. Il les a accusèz à la royne d'Angleterre vostre bonne soeur, et pour sa part il a demandé pardon, disant qu'il voyoit bien avoir malfaict, et a voulu charger sur ceulx, qui l'avoient plus aymé, et deffendu et voulu accompagner en ses derniers querelles. Il a dict quilz avoient conspiré contre l'estat en faisant profession de la religion catholicque et a cherché de leur faire tout le mal, qu'il a peu penser. Ce qui a fort fasché la dicte royne vostre bonne soeur, car elle estoit merveilleusement affectionnée et faisoit beaucoup de faveur a la pluspart de ceulx que a accusez le dict comte d'Auxfort, comme au milord Henri de Haward, frère du feu duc de Norfoc, au Sr Charles Arondel grandement affectionnez à voz magestez, et à monseigneur vostre frère, en estant de bons solliciteurs pour le marriage, dont ilz receproient beaucoup de bonnes chères pour faire en cela chose qui plaisoit à la dict dame, laquelle toutefois a esté avec son grand regret, comme elle mesme le m'a dict, contrainte de les faire mettre en garde entre les mains de quelques conseillers, à scavoir, le milord Henry entre les mains du Chancellier, et le Sieur Charles Arondel entre les mains du Sr de Hatton, Cappitaine de la garde, et le Sr Sandonel, [? Southwell] entre les mains du Sieur de Walsingham.

Ayant éstéz interrogez pour ce que le dict comte Dauxfort les avoit accusez contre l'estat, ilz s'en purgent très bien, et pour ce qui seroit de la religion catholicque ilz sont bien congnuz, pour y avoir tousjours esté forte affectionnez et n'en avoir point eu d'autre en leurs coeurs, comme n'ont la plus grande parte de la noblesse de ce royaume ce que la dicte royne connoist, et que le dict my lord de Haward, Arondel et Sandonel estant Catholicques d'affection, estoient néantmoins estimez et favorisez de la dict royne, vostre bonne soeur à l'occasion que eulx et leurs amys ont toujours esté pour le dict mariage et pour l'alliance de France. Le dict comte Dauxfort, ce trouve tout seul tesmoin et accusateur, ayant perdu le credit et l'honneur, estant habandonné

de tous ses amys et de toutes les dames pour en avoir encores voulu toucher quelques uns en ceci des plus favorables à monseigneur vostre frère, et ce trouve avec tant de honte et de regret de dict comte, qu'il en pert toute la contenance, et nul ne fait cas de luy; toutefoys la royne a essayé jusques à ceste heure de tirer tout ce quelle pourroit, mais elle m'a dict ses jours, quelle voyoit bien que cestoient des foulz, et que cestoient des praticqus, qui venoient de loing, de quoy elle avyoit, beaucoup de regret dy voir meslez ceux que estoient si bien affectionnez à la France, et sy favorables au mariage, et qu'encores quil ce trouvast quelque mal en eux elle fermeroit les yeux le plus qu'elle pourroit, pour ce respect quilz estoient amys du dict mariage, estant bien marrye de telz accidans en ce temps icy.

Le dict comte Dauxfort a requis à la dicte royne, et c'est mis à genoux plusieurs foys pour la supplier voyant quil ne pouvoit avoir autre tesmoingnage que le sien, de me prier lui dire et scavoir de moy sy je n'avois pas congneu il y a environ quatre ans un jésuiste qui leur avoit dit la messe et les avoit reduits à l'esglise romaine, et lequel j'avois fait sauver en France à la requeste mesme du dict comte Dauxfort, de quoy la dicte royne m'a instamment prié de luy dire ce qui en estoit, non tant pour leur faire mal que pour en scavoir la vérité, me disant que je pouvois bien scavoir quelle estoit envers les catholicques qui ne mestoient leurs consciences auec l'estat, et m'a fait grand instance et prière de scavoir de moy telle chose. Je luy ay dutout nyé, ne scavoir que c'estoit, ny n'en avoir jamays ouy parler, ny rien sceu. Quoy voyant le dict comte Dauxfort c'est encores venu jecter à genoux d'avant elle la suppliant en ma présence de me prier de luy en dire la vérité, et me supplioit de l'aultre part que je luy fisse ceste grâce de me souvenir de chose qui luy importoit tant que celle-là et comme il m'avoit envoyé prier et requérir de faire sauver en France et en Itallye le dict jésuiste, et lors qu'il fust en seureté, il m'en remercia. Je luy ay dict nectement à la dicte royne, que je n'en scavois rien, et que je n'avois connoisance ny mémoire de telle chose de sorte qu'en la presence de sa maistresse le dict conte c'est trouvé bien confus.

[He then begged me to say what I did remember. I bad him speak no more. He is trying to sicken those who were earnest on the side of the match. Perhaps he is jealous of others, or is of the Spanish faction.]

Dispatch iii.

Don Bernardino de Mendoza to King Philip II.

London, 25 December, 1581.

Translated from Fuensanta del Valle, &c., *Documentos Inéditos para la historia di Espagna* (1888), xcii, 220. The following is a full translation, and the same is true of pieces iv and v. A good version, but with occasional condensations, may be found in *Spanish Calendar*, p. 246.

Milord Harry Howard, brother of the Duke of Norfolk, has for some years, as I know through some priests, been very catholic, practising generally, since his reconciliation to Holy Church, his duties as such. For this reason he desired that the match [with Alençon] should take place, believing like many other catholics that by this means they would come to hold their religion in freedom. Then he heard that the

Earl of Oxford had accused him and one Francis* Arundel of being reconciled to the Holy Roman Church. For this the Queen had given secret order the other day for his arrest, and they (*sic*) were advised of this by a Councillor, a friend of milord Harry. What with their close correspondence with the ambassador of France, and their fears of being committed to the Tower, and so losing their lives, they did not dare at this juncture to trust him, nor to go to their home; but coming to my house at 12 in the night, though I had never spoken to them, they told me the danger in which they found themselves of losing their lives, unless I would hide them. As they were Catholics, I so entertained them, that no one in my house knew it except one of my men, until their friend the councillor gave them notice, that they would be confined in the house of a gentleman only, and in view of that, they immediately showed themselves in public.

Milord Harry, in gratitude for the goodwill with which I received him, and with a care which I can hardly describe, has informed and informs me of everything he hears, which is of service to your majesty, and recognises my favour, no little novelty for an Englishman to do. He has very good qualities and intelligence, and much friendship with the ladies of the privy chamber, who inform him exactly what passes indoors. He is also as intimate with the Earl of Sussex, as nail with quick. To touch off the greatness of the affection with which he occupies himself in the service of your Majesty (which is his constant desire)—I may here say, that in no wise would I wish him even to [extend] his arm to help me more.

Dispatch iv.

Don Bernardino de Mendoza to King Philip II.

London, 1 March, 1582.

Translated from the original Spanish in Fuensanta del Valle, *Documentos Inéditos* (1888), xcii., 303. Cf. *Spanish Calendar*, p. 307.

. . . The other evening Drake was dining with the Earls of Sussex, and of Arundel, and other gentlemen, and he was boasting of what he had done. Lord Sussex answered him. It was no exploit to capture with a well armed ship, another ship loaded with much money, and having in it only eight men and those without weapons. Drake answered, that he was the man to wage war on Your Majesty. At this Arundel said that a man like he could have no sense of shame, to imagine such a thing of the greatest monarch there had been on earth, who was strong enough to make war on all the princes of the world. This is what I have to write about armaments. . . .

Dispatch v.

Don Bernardino de Mendoza to King Philip II.

London, 6 March, 1582.

Fuensanta del Valle, &c., *Documentos Inéditos para la Historia de España.* xcii. 308. Cf. *Spanish Calendar*, p. 315.

S.C.R.M. . . . At the same time it is necessary for your Majesty to keep a hold on the house of Howard, because it is the most rich

* Francis Arundel, this is probably a telescopic error, for "Francis Southwell and Charles Arundell"—or else a slip of Francis for Charles.

in followers and kindred in the North parts, which is what has to be assured. Its head is the Earl of Arundel (el *principe Haran*), the son of the Duke of Norfolk and his two brothers. These three are married to three sisters, daughters of a lord of great importance in those parts. Their father wanted to engage them a good deal before any of them was of age to marry, so as to assure thereby his house and descendants, and to have the North country at his devotion.

These three brothers are quite young, but they have an uncle who is a person of courage and intelligence (he about whom I wrote to you on 25 December). As such he alone manages his nephews, and is wont to propose to them (in order to restore the cause) mourning for the death of their father, and to follow the side of the Queen of Scotland, through whose means alone they can hope for vengeance. The Earl of Huntingdon (*el principe Artinhton*) and Leicester are afraid of him, and by their intervention with the queen, endeavour to separate the uncle from the nephews, for they think that without him the boys have not got the strength to resist when occasion offers. At the same time this lord keeps close correspondence with all the Catholic gentlemen of the kingdom, who in turn esteem him, and show him all favour, both for his high qualities, and for his influence with his nephew, and he has offered to continue giving me constant information.

Mendoza writes, 25 July, 1582, that he had given Lord Henry Howard 500 crowns and promised him a pension of 1,000 crowns a year. Lord Henry accepted for as long as Mendoza should be ambassador, a condition which came to an end when Mendoza was informed by the Council on 19 January, 1583–4, that he must leave the country. *Spanish Calendar*, 1580–1586, nos. 277, 286, 291, 366.

Chronology—11. Blessed Edmund Campion.

August, September, 1581. The *Life*, p. 19, tells us of the Earl's providential presence "at the Disputation which was made in the Tower of London in the year 1581 concerning diverse points of Religion betwixt Fr. Edmond Campion of the Society, Mr. Sherwin and some other Priests of the one part, Charke, Fulke, Whitaker and some other Protestant Ministers of the other. For by that he saw and heard there, he easily perceived on which side the Truth, and true Religion was." There is no contemporary evidence on this point. The disputations took place on 31 August, 18, 23, and 27 September. The first was held in the Church of St. Peter's ad vincula, and the fourth in the hall of the Lieutenant of the Tower, Sir Owen Hopton; the public were admitted to some extent; but no list of those present was drawn up.

Reports are extant both by Catholics and by Protestants. Catholic Report: *Disputation I.* Printed from the Tresham Papers in *Historical MSS. Commission*, 16th Report, 1904, "Various Collections," iii, pp. 8–16; *Disputation II*, Harleian MSS., 422, ff. 148–160, another copy ff. 161–187; also Rawlinson, Miscellaneous, D., 353, ff. 15–35; *Disputation III*, Harleian, *Ibid.* ff. 168–172; *Disputation IV*, Harleian, *Ibid.* ff. 136–147, and Rawlinson, *Ibid.*, ff. 1–13. Protestant Report: "*A true report of the Disputation or rather private Conference had in the Tower of London, with Edmond Campion Jesuite, the last of August*, 1581. Set down by the Reverend learned men them selves that dealt therein. Whereunto is joyned also a true report of the other three dayes conferences had there with the same Jesuite. Imprinted at London by Christopher Barker, Printer to the Queene's most excellent Maiestie. Anno 1583." During the Earl's trial he was alleged to have been present at Campion's arraignment, p. 267.

Philip had doubtless heard often of Campion, not only during the year of preaching 1580–1581, but also from his old tutor Gregory Martin, a contemporary at Oxford of the future martyr and a member of the same College. The Earl, in spite of the importance for him of the disputations, was not by any means as yet converted to Catholicism. We know no details of the subsequent steps, which for the next year or two were bringing him nearer to the Catholic Faith.

April or May, 1582. Stephen Vallenger printed secretly a tract in the form of a thirty stanza poem, entitled, *An Epitaphe of the lyfe and deathe of the most famouse clerke and vertuouse priest Edmund Campian, and reverend father of the meek societie of the blessed name of Jesus.* For this offence Vallenger was condemned in the Star Chamber. The Earl's bearing at this trial was thrown in his teeth when four years later he himself was before the Star Chamber, and the Attorney-General alleged that on that occasion the Earl "very constantly prommiced and affirmed in open Court that in his oppinion all suche pervers and obstinate papists were generally to be demed and taken as traytors to her Majestie" (*see below*, p. 142). The matter was again brought against him at his arraignment, April, 1589. There are two versions of his words. According to the account in State Trials (*see below*, p. 256) he had said that "whosoever was a perverse papist was an arrant traitor"; whilst the Record Office document reports him as having said, "it was an impossible thing for a Catholicke to be an honest or true subject." The Earl seems to have made no reply in court: but when examined in the Tower, he "seemed to deny" the whole charge. (*Below* p. 184.)

IX.

THE KNYVET AFFRAY.

18 June, 1582.

R.O. *Domestic Elizabeth* cliv. n. 13, original: addressed perhaps to Walsingham.

Whilst the significance of this affair as a scene in Lord Arundel's life is obscure, it shows the insecurity of the times and the violence of quarrels between subjects, when the Earl of Oxford does not hesitate to make a murderous attack on an opponent * even in the company of the Earl of Arundel. Possibly it indicates Howard disfavour at Court and the turn of the tide; no doubt Arundel's favour declined as the French match receded. More probably we should read into it merely the unreliability of Oxford and his followers.

The genealogies show the de Veres, Townshends, Knyvets, Willoughbies, all related to the Howards. The Duke of Norfolk (as we have seen) giving his children a list of those who would befriend them after his own execution, reckons Edward de Vere, 17th Earl of Oxford, among the most powerful. He writes on 20 January, 1571–2, "My cousin of Oxford, who is too negligent of his friends' causes, or else he might do you more good than any kinsman you have" (*Above*, p. 6); and again a week later, 28 January, 1571–2, "I will begin as high as I unworthy dare presume with my couzen of Oxford. I hope he shall comfort you" (*Above*, p. 7). There were rumours that Oxford was angry with his father-in-law, Lord Burghley, for not preventing the execution; and it was reported that he had plotted the Duke's rescue

* Oxford had already fought a duel with Thomas later Lord Knyvet. Nicholas Faunt writes from Paris, 17th March, 1581–2, to Anthony Bacon at Toulouse. "In England of late there hath been a fray between my Lord of Oxford and Mr. Thomas Knevet of the privy chamber, who are both hurt, but my Lord of Oxford more dangerously. You know Mr. Knevet is not meanly beloved in court; and therefore he is not like to speed ill whatsoever the quarrel be." Birch, *Memoirs of the Reign of Queen Elizabeth*, I, 22.

from the Tower (R.O. *Dom. Add. Eliz., Cal.* xxj, n. 23. *Dom. Eliz. Cal.* xcv, n. 92). We have seen Oxford entertaining Queen Elizabeth in conjunction with Philip (*Above*, p. 22); but at best he was a fickle friend. In 1577 he was earnestly and against advice pressing a suit at court which brought him into hostility with the Earl of Surrey and Lord Henry Howard (*Hatfield Cal.* ii, n. 469). Oxford in 1580 and 1581 charged Charles Arundell, Henry Howard and Francis Southwell with disloyalty as belonging to the Scottish and Catholic party; their counter-charges asserted that he was a drunkard, an atheist, and a would-be murderer (R.O. *Dom. Eliz. Cal.* clj, nn. 42–53, 57). Incidentally we have notice of a meeting between Philip Arundel and a priest. Charles Arundell in a declaration of 1581, speaking of an attempt on "last Sunday, Christmas Day," by the Earl of Oxford to induce him to affirm that Lord Henry Howard and Francis Southwell were reconciled by Stevens a priest, says, "As to Stevens, I set down in writing what I have before told you, that a few years since, the Earl being grieved in conscience, desired conference with some learned man, and I brought one to him" (R.O. *Dom. Add. Eliz. Cal.* xxvij, n. 46).* In Castelnau's dispatch of 11 January, 1581, *above*, we have read of the extraordinary spectacle of Oxford on his knees imploring the Queen to insist on the Ambassador's disclosure of information to support his discredited accusations. He met with no success; and on 14 July, 1581, was still in restraint to which he had been committed; nor was the Queen minded to restore him to liberty till he had been confronted with Lord Henry Howard and Mr. Charles Arundell (R.O. *Dom. Eliz. Cal.* cxlix, n. 69).

The picture of Lord Arundel's life is not unattractive. He dines at the board of a "Mr. Jones," in company with his brother, his friends and followers, and meets there "Lord Ormonde and other noblemen." After dinner they gamble a little, probably at backgammon. Then they are off to law business when the affray takes place. Sir Roger Townshend, man of business for the Howard family, does his best in a delicate situation; his caution in keeping the news of what was afoot from Earl Philip draws from the latter the protest, "You may be sure I wolde not joyne with any man willingly to be partye in any quarrell."

The Declaration of Mr. Townsend.

According to your Honors commandements I have sett downe my knowledge & remembraunces of my speches concerning cawses of my Lord of Oxforthes & Mr Knevets which is as followith:

Uppon the xviii^th^ of June I was intreated by one Jhones to dyne that daye at his howse, which house before Mistress Arrundell did kepe her Table in, Theare to accompany sondry noblemen & gentlemen that meant to further & gyve credytt & cowntenaunce unto his newe erected Table.†

* This was possibly Richard Stevens of New College, Oxford; at one time secretary to Jewell, and later of the household of Archbishop Parker of Canterbury. He was reconciled by Dr. Boxall then in the Archbishop's custody. In November, 1576, he came as a priest from Douay to England, whence next year he returned to exile. Knox, *Douay Diaries*, pp. 6, 101, 103, 113, 125, 311. Writing from the Fleet prison, May, 1584, to Sir Christopher Hatton, Lord Henry Howard says: "Stevens is not yet a Jesuit, much less he was then. My Lord of Southampton can avow upon his honour that I never heard Mass with him, and yet I must be kept in prison." (*B.M. Add. MSS.* 15891, f. 119b.)

† This would appear to be a continuation of the private lodging house kept formerly by Mistress Millicent Arundel in St. Lawrence (Jewry) Lane off Cheapside; hither Howards resorted as to a modern Club (*Letters and Papers, Foreign and Domestic*, Henry VIII, Vol. xviii, Part I, nn. 73, 327.)

In the morning I went to my Lord of Arrundell, and after I had dispatcht my busynes with hym, he asked me wheare I dyned, I answered hym at the place above recyted. Then he tolde me that hymself was thither bidden. Theruppon I sayd unto hym that I wolde goe to Westminster Hall, & come backe ageyne, and attende on hym to the place wheare he dyned, which I did. And at my comying to Arrundell house there was no bodye with hym (to my remembraunce) but his owne men; And being readye to goe forthe, my Lord Thomas Howard & Mr Knevett came in, and understoode whither my Lord went; and did accompany hym to the place wheare we dyned, wheare we mett my Lord of Ormonde,* & other noblemen & gentlemen.

Presentlye after dynner one of my men came unto me, & tolde me that he heard some speech that my Lord of Oxforthes company meant to sett uppon Mr Knevet in the company of whome soever theyre meet hym, or in the company of my Lord of Arrundell & my Lord Thomas. Thus in effect, but the veary direct woordes I cannot perfectly remember. I asked my man wheare he heard yt, & what proofe he had of yt. He answeared me, He heard yt at my Lord Willoughbies house wheare my Lord of Oxforth & my Lord Willoughbie weare. And that some of the company had borrowed a sworde or swordes of my men & a buckler. I thincking yt was but some rashe suspicon or speech of some yll disposed person, willed him to repaire thither ageyne to bring me certen knowledge thereof. And so accordinglye he retorned to my Lord Wylloughbies house, and there stayed some while, and inquired further of the matter. In the meanetyme being desyrous to prevent the woorst, willed my man not to speake to any bodye of yt. And I maide choyse of my Lord of Ormonde to make hym pryvie to the speeche I heard, hoping of his good advice and ayde to prevent this myscheif, yf there weare any intended. He answered me, He thought the reporte was not true. But notwithstanding wished me to send one of my men to understande further of the cause, I tolde hym that I had so done alreadye. And further I tolde hym that my Lord of Arrundell was determyned to goe presentlye to Howard house,† which I did very much myslyke till I had heard some certeyntie howe the company before spoken of weare determyned.

Theruppon there was some perswacion for my Lord of Arrundell to goe to playe, who would not playe hym self, but willed me to playe his mony. I answered I wolde not playe unless his Lordship stoode by. He answered me, he wolde not goe awaye untill such tyme as we had made an end of our playe. Our playe contynued very litle while, and then my Lord of Arrundell sayd he wolde goe to Howard house, for he had appoynted his officers to meete with hym there concerning his owne busynes. I answered hym that yt weare very good for his Lordship this after noone to talke with his Cownsell. He answered

* Thomas Butler, tenth Earl of Ormonde.

† Willoughby House adjoined the Barbican. Arundel House, on the river below Somerset House, had been purchased by Henry Fitzalan, Earl of Arundel. Howard House was the old Charter House. Townshend was anxious that on leaving St. Lawrence Lane they should adjourn to Arundel House rather than pass Willoughby House on the way to Howard House. Oxford House was further to the East on the far side of Bishopsgate Street.

me that he had taken order with Mr Buxton & Mr Dyx so to doe, and wolde goe to dispatch some other busynes. I sayed to hym ageyne, that yf his Lordship wold goe hym self to his Cownsell, His presence wolde doe more good with them then a wekes attendaunce of his officers. Then he desired me to will one of his men to cause Mr Buxton & Mr Dyx to come to hym to Arrundell house. And theruppon we went presentlye downe the stayres to goe to the blacke ffryers. And even at the dore my man came to me, and tolde me that he had bene at my Lord Willoughbies, wheare my Lord of Oxforthe & my Lord Willoughbie both weare, and that he did perceive there was no such intent, as was before spoken of.

And so we went to the blacke ffryers, wheare Mr. Knevet (going before us) was sett uppon. But who they were that did it I knowe not, for I was so farre behynd, as I colde not discearne what they weare. And so I tooke boate with my Lord of Arrundell & went to Arrundell house. Being in the boate with hym, he asked me why I did not tell him of that I had tolde my Lord of Ormonde. I answered hym ageyne I was very unwilling to tell any body of yt. But that I was desirous of all the quiet that might be as longe as he & others weare in the company. And therefore I made choice of my Lord of Ormonde as a man best experienced to advise in the cause, yf there had bene any such accon in hand. He answered me ageyne, you might very well have made me privie, for you may be sure, I wolde not joyne with any man willingly to be partye in any quarrell.

In the evening, fynding my Lord Wylloughbie walking in his garden, I desired to speake with hym. So going talking with hym, I told hym that I thought my Lord of Oxforthe & he wolde not thincke me so idely occupied as that I wold joyne in any quarrell ageynst them. Then he sayed to me that he did perceive there had flying tales comen to us aswell as to them, for saieth he, yt was told my Lord of Oxforth, that Mr. Knevet with others came braying hard by the dore here. Theruppon my Lord of Oxforth hym self (and also his men) was somwhat greyved at yt. I answered my Lord, I thought that was very untrue, for Mr. Knevet was not out of my company all the afternoone, & before dynner, we came altogither, & went no farther then Aldersgate. And that truly I did thincke in my conscience there was no such intent, for there was none in the company prepared to any such purpose. Truly cosyn Townishend (sayd my Lord Willoughbie) yf the matter had growen to any further extremytie, I wolde have sent both to the Mayor & to the recorder. But whether he sayed he did send or no, I doe not very well remember.

[*Endorsed*].—Mr. Townesend declaration towching the brute geven owt yt ye E. of Oxford shoold have attempted somewhat against Mr Thomas Knyvet.

X

LETTERS OF 1582.

1. The Countess of Arundel to Sir Christopher Hatton.

(Arundel Castle, 20 August, 1582.)

B.M., *Add. MSS.*, 15891, f. 72. This letter is printed in Nicolas's *Memoir of Sir Christopher Hatton*, p. 265.

Good Mr Vice-Chamberlain, Having at this time so convenient a messenger, and never wanting at any time cause to remember how much I have been beholding unto you, I was loath either to omit the opportunity of the one, or to show myself unthankful for the other; and therefore since I found that writing was the best mean to satisfy in either, I desired to recommend my letters to this bearer, and myself by them to your good opinion; which as I have often said, and now must needs repeat, is one of the greatest comforts I have, and the greater because I rest assured that the constancy of your friendship, and the goodness of your nature, is such as I shall never lose it without desert; and I know myself so well, as, by the Grace of God, I never mean willingly in the least respect to deserve the contrary. I am loath to trouble you with long letters, and the less careful to enlarge the good-will I owe you, because, as I hope, it is sufficiently known unto you; and therefore will here conclude, wishing you all good hap. From Arundell Castle, the 20th of August 1582.

Your most assuredly ever,

A. Arundell

2. The Earl of Arundel to Lord Burghley.

Arundel House, 19 October, 1582.

Hatfield Calendar, ii, n. 1223. The Hatfield documents having been placed in security during the time of war, a complete copy of this letter is not at present obtainable.

The plague hath so beset and encompassed his house that he is forced to hurry away without seeing Burghley. The malice of his enemies he will declare to Burghley himself, to whom he will ever acknowledge himself utterly bound.—Arundell House, this present Friday.

P.S.—"The air of my house in Sussex is so corrupt even at this time of the year, as when I came away I left xxiv sick of hot agues. Wherefore the Bishop of Chichester being dead * and I wanting an house to remove unto, I beseech your Lordship I may have the Bishop's house near Chichester to use till I may otherwise provide myself. If in the meantime a new bishop be made, I will be ready at a month's warning, etc."

Chronology—12. Disturbances.

1582. The letter (above) of the Countess, 20th August, 1582, gives us a glimpse of life pursuing a even tenor; but the Knyvett affray appears to have been followed by other disquieting affairs. The Earl writing on the 19th October of the same year complains for the first time of "the malice of his enemies," as chief of whom he later names Lord Leicester.

1584. The following action of the city magistrates would appear to us to be intolerably high-handed, but it seems to have been taken then as a matter of ordinary course.

Recorder Fletewood writes, 18 June 1584, to Lord Burghley of action taken in consequence of riots in the neighbourhood of the Theatre and Curtain.† "Upon Sunday my Lord (Anderson ?) sent two aldermen to the court, for the suppressing and pulling down of the Theatre and Curtain, for all the lords agreed thereunto, saving my Lord Chamberlain and Mr. Vice-Chamberlain; but we obtained a letter to suppress them all. Upon the same night I sent for the Queen's players, and my Lord of Arundel his players, and they all wellnigh obeyed the Lords' letters." Wright, *Queen Elizabeth and her Times* ii, 226; B.M. *Lansd.*, xli, 13.

* Richard Curteys, bishop of Chichester, died August 1582; and the see remained vacant till January 1585–6.

† These early public playhouses both stood in the parish of Shoreditch: the Theatre was erected by James Burbage in 1577, and its rival the Curtain was built in its immediate neighbourhood soon after the Theatre was opened.

XI.

THE EARL'S CONVEYANCE OF GOODS.

R.O., *Domestic Elizabeth*, clxii, no. 1, 1 August, 1583.

The reason alleged in the document itself for this transference of property is that Townshend and Dyx had personally to meet the Earl's heavy indebtedness. We have already (p. 21) noted the assertion of the *Life* that he had gravely encumbered his estate by the sumptuous entertainments he gave to the Queen. It was not out of the common to make substantial use in money matters of family dependents. Thus the Duke of Norfolk wrote to Philip, 28 January, 1571–2, "I was enforced to be ever in debt and still in need of money. Yet I could not borrow but upon security which commonly were mine own men" (*above*, p. 7). There is a petition (Nov. ? 1573) of Townshend and Dyx to the Council asking for the conveyance of the possessions and revenue of the Earl of Arundel for payment of the debts and legacies of the late Duke, and the debts of the Earl and his brethren. R.O. *Dom. Eliz.*, xcii, n. 52. *See* as an appendix a letter of Philip's of 1589 on this very subject (*below*, p. 303). This makes it clear that the conveyance was what it purports to be. The Earl's one anxiety is that his creditors should be paid; if and when that is accomplished, he has confidence in Townshend and Dyx that he shall receive again what is left of his own. It is not necessary to suppose that, being now determined on the open practice of the Catholic religion and with the possibility of exile before him, he may in August, 1583, have thought it desirable by this document to provide a power of attorney.

Sir Roger Townshend of Rainham, Norfolk, is called by Philip, "my loving cousin." William Dyx had been commended to Philip by his father in his letter of 20 January, 1571–2. "Dix is a faithful servant, and one I wish you to repose mostly upon. He is best acquainted with the state of my reckoning."

To all Christian people to whom thease presents shall come Phillipe Earle of Arondell sendeth greeting in our Lord god everlasting. Where my loving cousin Roger Townesende and my servant William Dix Esquier do at this present diversly in sundrey wise stande bounden and be indebted to many persons in very great sommes of money for the answering & making payment of the proper debts of me the saied Earle, which I do owe and where also I the saied Earle am to have & use the creditts of the saied Roger and William in and about the borrowing of other sommes of money for my necessary affaires whereby they the saied Roger Townesend and William Dix are very like hereafter to stande bounden and be further indebted for me then yet they be; Nowe know ye therefore that I the saied Earle for and in consideration that the saied Roger Townesend and William Dix, and either of them, their heires Executors and Assignes, and the heires, Executors & Assignes of either of them shall and may from tyme to tyme and at all tymes hereafter, be the better and more clerely exonerated discharged acquited kept and saved harmeles of & from all and all maner of forfeitures penalties losses, hindrances & other incumbrances whatsoever which any maner of wise may arise growe accrewe happen or come to the saied Roger Townesend & William Dix or to either of them their heires, executors & assignes, or to the heires, executors and assignes of either of them, aswell for or concerning their saied so standing bounden and becomyng indebted for me the saied Earle as is afore-

said: as also for touching or concerning all and singular other bonds promisses of payment of money which they the saied Roger Townesende and William Dix or either of them, have made, or at any tyme or tymes herafter shall make for me the saied Earle, or wherein I have used or hereafter shall have or use their creditts in about any of my debts and also for divers other good causes and considerations me thereunto specially moving: To HAVE given and graunted and by theise presents do give and graunte, to the saied Roger Townesende and William Dix, their Executors and Assignes, all and singuler my jewells plate hangings bedding howshold stuffe stockes & store of Cattell and Sheepe, And also all other my goodes & chattells both reall and personall of what sorte, nature or kynde so ever the same be of within the Counties of Middlesex Sussex Norfolke Suffolke the Citie of Norwich, or elswhere soever within the Realme of Englande. To haue hold occupie and enioye all and singular the saied goodes and chattells both reall and personall, and all other the premisses with their members and appertenaunces. To the saied Roger Townsende and William Dix, their Executors administraters and assignes absolutely to their owne proper uses and behoofes for ever; In witnesse wherof I the saied Earl To thease presents haue subscribed my name & set to my seale the first day of August in the xxvth yere of the Reigne of our Sovereigne Ladie Elizabeth by the grace of god of Englande Fraunce and Irelande Queene Defender of the faith, &c. 1583.

Arundell.

Note in same hand. Endorsed on the backe of the deede of [gift] as followeth:

Memorandum that for the better ratifieing and confirmation of the gift made by the saied Erle of the goodes within specefied the saied Erle upon the sealing & delivery of the saied deede did give and deliuer to the within-named Roger Townesend & William Dix one Siluer spoone for and in the name of all and singuler the goodes & chattells within specefied according to the true meaning & effect of thease presents in the presence of us.

Charles Tylney*	
William Norton	George Lawghton†
Henry Sharburne	Thomas Rookewoode
George Harry	Thomas Smyth
Robert Medley	John Hamonde
Richarde Beil [?]	John Drake

Signed.—Roger Touneshend William Dyx.

Endorsed.—Copie of ye deed of gift made by ye Erle of Arundel to Roger Townesende and William Dix esquires.

* Charles Tylney was three years later one of Babington's companions and was hanged, &c., with him. The second Howard Duke of Norfolk married in succession two cousins, Tylneys. The second—Agnes—was probably of Shelley in Suffolk. This was also the family of Charles Tilney. *See also* G.E.C. *Complete Peerage.*

† George Laughton had been a tutor of Philip (see above p. 16). In December we find him in another rôle. "The Earl of Northumberland is commanded to keep his house, and Mr. Laughton hath the keeping of him there." *R.O., Dom. Eliz.*, clxiv, n. 47.

CHRONOLOGY—13 THE POLITICAL CRISIS, 1583 TO 1585.

Throughout the documents which now follow we see the Earl a victim to political excitement, which he had done nothing to excite, and which no excuses, no pleadings, no proofs offered by him could calm down or mollify. The reasons for this excitement were chiefly two, the *Plot Mania*, and the *Enterprise of Mary Stuart*.

i. Efforts to free the Queen of Scots have been heard of before (*above* p. 3, 4) but they ended in the death of Philip's father and the destruction of the conservative peers. Mary herself was thenceforward a prisoner, without a friend at liberty in the whole island, and her case was hopeless for the time. But in 1580–1581, King James, supported by his cousin Esmé Stuart, Duke of Lennox, began to take his mother's part, and thereupon the political balance of power began to sway. But James was captured by the Protestants at the "Raid of Ruthven," 23 August, 1582, which caused the immediate fall of Lennox, and the collapse of all the plans for the "enterprise "which had been built on him.

25 June, 1583. Next year James freed himself; the plans for the enterprise were renewed, and the Protestant powers in the land were at once in a turmoil of suspicion, fear, and excitement, which lasted on (so far as this cause was concerned) until November, 1585, when James was eventually recaptured by Protestant arms. After this he was pensioned and kept in such dependency on England that danger from him practically ceased.

ii. During the years 1582 to 1585 Elizabeth's government was also infested with a *Plot Mania* (vividly described in no. XII). Of course there had been some *charges* of plotting earlier. With men so suspicious as Cecil and Walsingham that was inevitable. But the well-known tradition that there were *always* plots against Elizabeth grew up at this period. It was really groundless. We now know that all the alleged plots were either fictitious, or set afoot by Walsingham's own *agents provocateurs*, or were dynastic *only*, not murder plots. Elizabeth's life was never for a moment in the least danger.

Yet there was a genuine *occasion* for the alarm, viz., the ban against the Prince of Orange and the consequent attacks on the prince's life (especially that by Jean Jaureguy, 18 March, 1582) and his assassination 10 July 1584. The ban was a mediæval sentence, of civil, not ecclesiastical, character, but it gave rise to embittered controversy between Protestants and Catholics. The latter (clergy not excluded) defended it. The former, in England, charged all Catholics with being potential assassins. After the death of Orange they barbarously made it a mortal offence for a priest to live in England.

iii. September, 1583. The mission of Charles Paget. This was an episode in the general enterprise of Mary's liberation. In August, 1583, a meeting had been held in Paris to make plans, which were then dispatched to Rome and Madrid, while Paget was sent to commune with friends in England. His instructions of 28 August are printed in *Spanish Calendar*, p. 506: but of what he actually did treat no precise details are known. The result at all events was infelicitous. Government arrested Francis Throckmorton, in November, and then many others on suspicion, and by dint of examinations found out in general the aspirations of Mary's friends. Many Catholics fled the country, amongst them Charles Arundell and Lord Paget. The Earl of Northumberland was sent to the Tower, where we shall hear of him again, Chronology 20.

Father Persons in his *Memoirs* (*C.R.S.* ii, 32) says that on his return from Rome (19 October, 1583) he found Paget back "from England, and to have brought contrary answer to that which was expected by the Duke [of Guise] and promised by him," *i.e.*, "to draw the Earls of Northumberland and

Arundel to join with the Duke of Guise for delivery of the Queen of Scotts."

It is certain that Paget had no dealings with Lord Arundel. Dr. Allen, writing of Lords Rutland and Arundel, says (16 January, 1584), "they do not know anything of our plans" (Knox, *Letters of Cardinal Allen*, p. 223). It was, however, believed that both were in sympathy with the exiles (Knox, lviii; Teulet, *Relations*, v, 310).

The Government also in its account of Paget's stay in England (Holinshed, iv, 608) makes no allusion to his treating with Lord Arundel.

iv. Francis Throckmorton is sometimes said to have conspired against Elizabeth's life. This was not true, though of course believed during the Plot Mania. His object was dynastic, to place Mary Stuart on the throne. But a great many secrets had been from time to time entrusted to him, and by the frequent application of torture large confessions were eventually wrung from him, which compromised Mendoza, the Spanish ambassador, who had to leave the country. He had asked Throckmorton to trace over some old printed maps of England: not a very serious offence according to modern conventions. But he also persuaded him to make out lists of possible insurgents, and this cannot in any case be excused.

Throckmorton's confessions were long and detailed. They were, however, obtained by torture, and recalled by their author; their authority is therefore unsatisfactory. Lord Arundel's name is not mentioned in the examinations published; but Walsingham's paper, no. XVI § 2, declares that he is mentioned somewhere in the papers after all. This is possibly true: though, if so, the "true and perfect relation" of the examinations must be a false title.

Throckmorton was not executed after his trial; but when Orange had been murdered there was a cry for his blood, and he was then butchered, apparently out of revenge, 10 July (Old Style), 1584.

The government's version of his confessions is printed in the *Harleian Miscellany*, iii, 190–197. His trial is in B. M., *Stowe MSS.*, 1083, f. 17. *See also D.N.B.*; *The Month*, June, 1902, &c.; and Holinshed, iv, 536.

CHRONOLOGY.—14. IN RESTRAINT, 20 December, 1583.

In the *Life* (pp. 21–22, 59) we read that Earl Philip and his brother, Lord William Howard, intended to be open Catholics, but were alive to the danger of doing so at present within the kingdom. A Catholic secretary of the Earl's, John Momford, was despatched to Hull to make preparations for flight; but he was intercepted by the Lord President of the North, and sent back to London. On his return he found all busy making ready to receive the Queen, who had announced her intention of coming to Arundel House for entertainment. Writing of this event a year and more later the French Ambassador, who was invited by the Queen to accompany her, tells us her hypocritical praises of the Earl. *See below*, no. XXV.

Yet hostile action was taken in a day or two. In an intercepted letter to Charles Paget, of 20 December, 1583, the news is sent him that the Earl of Arundel is commanded to remain a prisoner in his house. R.O., *Dom. Eliz. Cal.*, clxiv, n. 47. This information is more fully given in an intercepted cipher letter in Spanish which is without date or signature, but presumed to be of Mendoza to Parma. After speaking of the death of John Somerville, found strangled in his cell at Newgate, 19 December, 1583, and of the execution next day of Edward Arden, the letter continues: "They have sent . . . to the Earl of Rutland, that he is not to go ten miles from the court, and to take the Earl of Northumberland, his guard being Captain Layton [*vere* Laughton]. The Earl of Arundel is to remain a prisoner in his own house, and the Countess his wife, who was in the castle of Arundel, being with child, is to come hither: who is a very brave lady, a great Catholic and

a servant of 49 [=*Elizabeth*, so the Calendar; but more probably=Queen of Scots]. Mr. Shelley, a rich gentleman of Sussex, has been arrested on suspicion of having aided the lords who have gone to France, in their embarcation." R.O., *Foreign Eliz. Cal.*, 1583–1584, n. 790.

XII.

MAUVISSIERE DE CASTELNAU TO THE QUEEN MOTHER.

London, 1 January, 1584.

B.M., Harleian MSS., 1582, f. 338. Original, but with corrections. It has, therefore, been kept back as a draft.

Madame,—Depuis la letre du Roy escricte, et ainsi comme je commencois ceste cy lon ma apporte nouuelles que ce Jeune Gentilhomme appele Sommerfil* qui auoit confessé vouloir tuer la Royne d'Angleterre estant amene de la Tour pour estre demain executé. Comme fout et plain de courage qu'il estoit, auec grande ceur cest estranglé luy mesme, auec quelques pieces de sa chemise, quil auoit cordonnes ensemble, ayant tousjours sousteneu quil nestoit pas seul qui auoit ceste Intention, comme la dicte dame le ma elle mesme conté, et qui'l y auoit de meruiel-leuses conspirations contre elle & son estat. A quoy elle et son conseil sont sy empesches, quilz ne vacquent a aultres choses et trouuent que telles conspirations auoient tant de suittes, quilz ne scauent ou ilz en sont. Ce pendant les Catholicques en patissent, et à son commandé au Comte Darondel, premier Comte de ce Royaulme, filz du feu Duc de Norfoc, de garder sa maison, et aussy au Comt de Nortomberland, qui est le troisieme en dignité. Et à son mandé le comte de Dherby [? *much corrected*] qui cet excusé. Quelques ungs veullent dire que le Comte de Cerosbery†, qui garde la Royne d'Escosse, nest pas exempt de subson. De sorte quil y a bich [? bruit] de remuement pardeca, et dit lon que le Roy d'Espaigne devuoit donner le secours aulx conspirateurs. Mais la dicte Royne ce fie de sa fortune qui luy a tousjours este fauorable, Jay faict ce que Jay peu pour la remectre mieulx que jamais auec le Roy, &c. . . . Pour le regard du Roy d'Ecosse, il est teneu ici fort suspect, pour fin et tres aduisé de son aage, et qui ne pense en aultre chose que d'estre Roy d'Angleterre. La Royne sa mere, vostre belle fille, prochasse fort d'auoir sa liberté. Mais les desfiences sont sy grandes à present pardesa, que lon a subson des ombres, et les plus prevoiens y craignent quelque grand remuement à ce temps nouueau. Je veilleray ce pendant a ce qui sera pour le seruice de vostre Majesté &c., &c. Je priray Dieu. . Madame, &c. ce premier janvier 1584. [*Not signed*].

* John Somerville (less correctly Somerfield) of Edreston, Aynho-the-hill, Northants, was distantly connected through his wife, one of the Ardens, with Shakespeare. Several of the Ardens suffered at the same time. Somerville was certainly not in his right mind. *See The Month*, June, 1902, and Mrs. C. C. Stopes, *Shakespeare's Warwickshire Contemporaries*, 1907, pp. 68-88. She also has chapters on Edward Arden, Francis Trockmorton, &c.

† Lord Shrewsbury's name is mentioned in the same sense by the letter of Mary's friends 22 August, 1583 (*Spanish Calendar*, p. 504). But the evidence is not necessarily independent; both statements presumably rest upon Mary's own unquenchable hopes. Shrewsbury was removed from his post of Keeper to the Queen of Scots in the *August* following.

XIII.

THE DECLARATION OF GEORGE LAW.

20 December, 1583.

R.O. *Domestic Elizabeth* clxiv., n. 48. Original document in a clerk's hand, signatures autograph. The margins have perished entirely; and the outside words are here conjecturally supplied in italics.

How the following information came to be laid we learn from a letter, 26 December, of Lord Buckhurst to Sir Francis Walsingham. Fault had been found with Buckhurst as playing the part of Examining Justice in taking Law's declaration. He protests his innocence of any presumption and forwards a copy of an explanation he had sent to Leicester that it might be laid before the Queen. 'The Council ordered me to send up George Lawe, and I gave Edmund Jenny strict charge over him. Lawe suggested to Jenny that the only thing the Council could want of him was his dealing with Fetherstone. Jenny told me of this. And I thought it well to get it direct from Lawe and down in writing. "Not only he reconfest to me the matter of Mr. Fetherstone (being the only thing that I sought at his hands) but also voluntarely uttred divers other things in such sort as by me they ar set doun in his declaration sent." I aimed at a declaration not an examination. It is a mistake to conceive me "as taking upon me to be an Examiner, being in truth no other than an advertiser" in matters of which I thought your Lordships of the Council should be informed.' Abstract of R.O., *Dom. Eliz.*, clxiv, n. 58, f. 122 and enclosure, f. 124.

Throckmorton's arrest had caused a widespread feeling of insecurity, and Lord Buckhurst, who was a good man, to be on the safe side, turns inquisitor and informer against his own daughter-in-law, the Lady Margaret. The whole is a vivid illustration of the Plot Mania within doors. Servants turn spies and, full of ignorant suspicion, informers. Law is vexed at faithful servants being retained and mischief-makers removed. He puts a sinister interpretation upon all. He suspects those not of his own kidney to be priests; and he is quite wrong. The false charges he makes are at once made use of (*below*, p. 55); he suggested that Bailey was a priest, and Arundel in his examination is asked whether he knew that Bailey was a Jesuit (*below*, 46). Richard Bailey was a Catholic, but a layman, *Life*, p. 183. These groundless accusations were long made use of by Arundel's enemies.

Lady Arundel, not knowing her husband's present attitude to religion, goes in fear of the servants of the household.

THE DECLARATION OF GEORGE LAWE MADE BEFORE ME THOMAS LORDE BUCKHURST THE 20 OF DECEMBER 1583.

Sayeth that within on month after that the lady of Arundell *came to* Chichester to remain there (which as far as he nowe *remembe*reth was between Ester [31 March] and Whitsontide [19 May] last past,) he, *the* said George, being at that time grome of the chamber to *the* Lady Marget Sackvill, was by chaunce in an utter chamber *next* to the dining chamber theare, in which place he saw *lyin*g on the ground by the window there, being then about [. . of] the clock in the morning, a litell bag like a purse: . . . . taking the same up and opening it, he found therein . . . ting of a shete of paper, and on other paper also, and therein *was* a littel pece of linnen cloth wch had ben dipt in blood *and on* the same paper, written on the back, 'to the right honorable *Lady* of Arundell,' and ther was also therin a litell box *and* in the same, divers litell graines of bugle and glas, as *said* george thinketh, and also

ij peces of gold with . . . therupon called Corones as in the said writing . . . shete of paper they seme to be termed: and after *he had* thus found thes things he knew not what to doe *or* . . *to* whom to utter the same, for gretely he suspected *that* the said litel bag and trompery therin contained did *ap*pertain to the Lady of Arundell as well for that the *su*perscription of the writing afore mentioned did testefy *the* same, as also for that by the space of a day or twain *after* he saw by the countenance of the said Lady of Arundell *th*at she was mervelusly sad and soroful, and last of *all* for that the said lady of Arundell and Lady Marget *did* use every day to sit and work in the same place where *the sa*id purse was found. And yet becaus ther was no *search* made for it, and that he thought he shold have *dis*pleasure for it, if he had uttred the finding thereof, *he did not,* for that caus and for non other, tell the same to *any crea*ture in the world: Untill, about on quarter of a yere after, he the said george thought good to *make* Mr. fetherstone prevy of the same, to whom *he did tell* and show all the said things; and he then *gave* counsell to the said george that he shold . . . . thereof and to let no body to know of it: and *he did* chose to impart the same to the said Mr. f*etherstone* for that he knew him to be a good protestant . . . that greatly abhorred such maner of thing*s*.

And he farther saith that as he hereth on Edw*ard* snap, on of the gromes of the lady of Arundels, and who was secretly suspected to be a massi*ng priest,* is now or very lately, sins the aprehension *of* william shelly esquire, stoln away in the . . . ., as it was told to the said george by on *John* Nellowes, yeman of the grete chamber to the *Earl* of Arundell; which Edward snape is bro*ther* . . . snape stuard of hous to the sa*id Mr.* shelley, which stuard, as the said John Nel*lowes* declared, is likewise stoln away sins *his* master's aprehension.

And he farther saith That on B*aily* heretofore serving the erle of Arundell a . . . waiter, chaunced to fal out with an *other* . . gentelman of the said Erle, whos name he *now* remembreth not. [*Added subsequently in the margin*: he saith his name was Mr. Holford as he better remembreth.] After which falling out, a*nd* also before, it was muttred and spoken in *the* . . hous how the said Baily was a massing *priest* come out of Spaine; nevertheles the said h[*olford*] was, for his said falling out square with the *said* bayly, put out of my lordes servis, and *the* said Baily still retained in servis, *and* when the matter was so publikly talk*ed of* as that it came to the b*u*shops know*ledge:* Then was the said Bayly put aw*ay from* the servis of the said Erle as it s*eemeth* . . . Nevertheless the said Baily was *taken* in to the servis of the lord william howard *and hath* ben sins that time divers times at Chichester . . . *namely* about midsomer last at which time he *doth* verely think that he was there a senight together *at the* lest. for that he the said george espieng him *there* on day by chaunce, did also v or vj daies *later* se him in the hous in bed there in a morning.

And he farther saith that at every *E*ster the said lady of Arundell and Lady Marget *d*id use to go up to london, and at their being *at* howard house there, They did every morning *m*ake their repair to a

chamber there none but *them* selves alone and remained there secretly *a* grete while: in which chamber there was a . . . set up, and yet it was not knowen to any . . . or any on of the hous that lay in the said . . . so as the said george and on John Jury . . servant to the said lord william and a protestant *tal*king oft together of this matter did verely believe *that* in that chamber every morning they did *hear* mas: The said chamber was first the erle of Arundels wardrop and after the lord william . . . did ly there himself. And he farther saith that on holland, who waites on my lord william in his chamber, is prevy to all the procedings of the ladies in thes matters of papistry as he thinketh.

And he farther saith that on mistres dorothy hoorde, now gentlewoman waiter to the lady margaret, was sent to her servis, as he hath hard, by the lady *M*onntague and was somtime attending on the lord *M*onntagues soons wief,* and doth verely think *th*at she also is able to say much in these matters

J. Buckehurst George Lawe

XIV.

THE EARL EXAMINED BY LORD HUNSDON AND SIR WALTER MILDMAY.

Arundel House, 24 December, 1583.

In his letter written to the Queen on occasion of his departure from the realm, Earl Philip speaks of his falling from favour at court into obvious disgrace for no ascertainable cause. "At last I was called at your Majesties commandment before your Council at two several times, where many things were objected against me, and some of them such trifles, as they were ridiculous, others of them could not be justify'd." In spite of evident innocence, he was commanded to keep his house. His adversaries "procured that your Majesty should send some of your Council four dayes after my restraint to examin me of new matters, which were of greater weight and importance; but as improbable as the former and I discharged my self as clearly as of the other before mentioned, so as mine Innocency did more plainly appear, altho' my restraint did continue." (*Life*, pp. 37, 38.)

"Four days after my restraint," this indication of time agrees exactly with the interval between the letter to Paget of 20 December and these articles of "24 December."

The Articles are now at the Record Office, *Dom. Eliz.*, clxiv, n. 52, f. 111, written in a clerk's hand, and headed "articles to be ministered to the E. of Arundel, 24 Decembris, 1583." The endorsement describes them in the past tense as "ministered by the L. Hunsdon and Sir Wm. Mildmay." They were both hot protestants; Henry Carey, 1st Baron Hunsdon, 1st cousin to Queen Elizabeth, father-in-law to Charles Howard, the admiral against the Armada "in former times had been the Duke his (Philip's) Father's page and now was his greatest enimy," *Life*, pp. 22–23.

The answers are R.O. *Dom. Eliz.*, clxiv, n. 53, f. 113. There are also two drafts, ff. 115, 117, the latter being the earlier. There are no material differences between them (except § 16); some answers are identical throughout, some have been improved in order, clearness, &c., and some corrections of this sort occur in the revised version. The second draft is signed, similarly to the final revision.

* Viscount Montague's daughters-in-law were: Mary, daughter of Sir William Dormer; Mary, daughter of Sir Robert Tyrwhitt; Anne, daughter of Sir William Catesby.

For the reader's convenience, questions and answers are here printed together, the questions in italics.

24 Decembris, 1583.

THE EXAMINACION OF THE E. OF ARUNDEL TO CERTEN INTERROGATORIES.

1] *What conference had he with Lord Paget and Charles Arundel before they left England and who were present?*

To the first his L. answereth that he saw not the L. Paget a month or thereabout before his departure beyond the sais; nor Charles Arundell in xv daies before his goinge, as he thinkethe. There passed no speaches or conference between his L. and the L. Paget and Charles Arundell, but of ordinarie matters; and that Charles Arundell the last tyme of his being with his L. had no speache with him, but came in company with his nephew Matthew Arundell*, who wold have put a man to his L. at that tyme, which he refused; at which tyme Edw: Carrell, and certen of his L. servants were present.

2] *From whom did he first hear of the flight of Lord Paget and Charles Arundel?*

His L. never heard that the L. Paget and Charles Arundell were fledd or had any intent to flye, but at the corte after they were departed.

3] *Had he within the last two months any secret meeting with the Earl of Northumberland, Charles Arundel, and a third person?*†

There was never any secret metinge betwene his L., the Earle of Northumb:, Charles Arundell, or others. He saith that within 3 or 4 dais after the E. of Northumb: comyng to London the last term, he was once at the Earles house, where he found either Sir Matthew or Cha: Arundel, but which of them he remembreth not, but who ever it was he staied not in the house after his L. cam in: he cam only to visit the Earle, and had no conference with him but of ordinarie maters.

4] *Were there messages between him and the Queen of Scots, especially in the last two years? Did she not style him son?*

There never passed any letters betwene the Sco: Q. and his L. at any tyme, nor any message but one brought to him by the L. Henry his uncle, about x or xij yeres sithence; which message Mr. Secretary knowethe, as he thinkethe; and saithe that he knoweth not that ever she gave him the title of sonne, but in that message brought him by his uncle.

5] *Was Bailiffe one of his servants? What has become of him? Did he know Bailiffe was a Jesuit?* ‡

* Probably a mistake in the relationship; Charles Arundel had a brother Matthew, and the latter's son was named Thomas. *See* p. 28, *n.*

† "A third person." The government do not seem to have as yet identified the *alias* "Mope" under which Charles Paget crossed to England.

‡ This interrogatory is based on the "mutterings" supplied by Law. Mr. Bailey brought privately to Arundel Castle the Marian priest who reconciled the Countess. "And notwithstanding all that care and secrecy within a month or two she was presented for a Recusant by the inhabitants of Arundell, and Mr. Bayly was convented and accused before the Bishop of Chichester as a Seminary Priest; of the which tho' he was easily clear'd and acquitted, yet because he would not take the Oath of Supreamacy, he was forced to quit the country and soon after to go out of the realm and live in banishment many years even till his death in Flanders. The Countesse did often sent him relief out of gratitude for his concurrance towards her conversion to the Catholick Faith." *Life*, pp. 183–184.

He confesseth that Bailiffe did heretofore serve him, and was put from him about a yere and more: he knoweth not what is becom of him sithence. His L. being informed that he was a priest, sent him to the B. of Chichester, from whom he received answere that he found him not to be a priest, but bakward in relligion, upon which advertisement his L. put the said Bailiffe awaye. Sithence which tyme he never heard of him or did ever relive him.

6] *Why were his chaplains Champion and Duffield removed?*

Champion and Duffield are yet his L. chaplains; Champion went from his L. to reside on a benefice in Norffolke which his L. had bestowed on him. Duffield was lately with his L. in his house untill he was now lately restrained within these ix daies.

7] *Who preferred Thorney to him?*

Thornely is his L. chaplain, and was put to him by the L. Bishopp of Sarum: he hathe ben with his L. in house more than two yeres.

8] *What message passed between him and the French Ambassador these last two years?*

There hathe passed no messages betwene his L. and the ffr^e^ Amba: at any tyme as he remembrethe concerning any mater of moment nor otherwyse.

9] *Did he not warn the French Ambassador against certain stranger or strangers as ill-affected to the Queen of Scots?*

He never gave warning to the ffre: Amb. of any suche stranger or personne to any suche effect.

10, 11] *When he last saw Hill? How long has he known him? Who introduced him? What is his religion? What has become of him?*

He knoweth Hill, he is a gent of the West Country: his L. sawe him about the beginning of the last terme: Hill cam into Sussex with Charles Arundell, about Somer was xij monthes; and his L. being made acquainted that Hill was a noted man and not sound in relligion, will (*sic*) him to forbeare his companye.

12] *Was he aware that Jesuits and Seminary priests resorted to his wife?*

He had never heard of any Jesuit or Seminarie priest that ever cam to the Lady his wife, or resorted to his L. house.

13] *Does he know the Seminary priest Knott?* *

He knoweth not any suche man by the name of Knotte.

14] *Did he ever speak with Heywood?*†

He never saw Heywood in his lief to his knowledge.

15] *Did he know of a purse sent to his wife containing holy grains and papers, etc.?*‡

* Possibly Mr. William Knott, Fellow of New College and a doctor of laws, and now an exile in Flanders. But he was never a priest. For further information see Wainewright in the *Ushaw Magazine*, March 1912, p. 51.

† For Jasper Heywood *see* Foley, *Records, S.J.*, vii, 351, and *Cath. Rec. Soc.*, ii and iv *sub nomine*.

Fr. Heywood, writing 16 April, 1853, marvels at the *captura piscium*; in his comment on this Fr. Persons refers to such as the Earls of Arundel and Northumberland, who were in those days on the way to becoming Catholics. A note is needed to correct the mistaken inference by which Fr. Grene, not Fr. Persons, headed this paragraph "Earls of Arundel and Northumberland converted by Fr. Heywood." *C.R.S.*, iv, p. 93.

‡ In this question again Law's story (above 43, 44) is presumed true.

His L. never gave or knew of any suche purce, etc. But within these 8 dayes one Fetherstoane, his man, declared to another of his servants in his house that he should be examined for suche a purce, and was in feare to be comitted to prison about the same: and that Fetherstone should say that he first heard of that purce by a man of my La. Margaret's, his L. sister: in which purce (as Fetherstone did saye) there should be Beads and Agnus Dei.

16] *When did he hear of Charles Pagett?*

His L. never heard from Charles Paget by letter, message, or other wise, sithence his departure out of England, which was about 2 or 3 yeres past.*

ARundell.

The first two letters of this autograph signature are capitals, the final l is doubled, and underneath is the "paraph" or flourish, of three loops.

Endorsed.—24 Decembris 1583. Thexaminacione of the E. of Arundel.

XV.

THE EARL'S PROTEST TO THE PRIVY COUNCIL AGAINST HIS CONTINUED CONFINEMENT.

Arundel House, 12 January, 1583–4.

R.O. *Domestic Elizabeth* clxvij, n. 18. Autograph.

May it please your good lordships, being restrayned to kepe my house by your commandement, in such sorte as I could not come to wayte uppon you my self: I thought it the fittest meane by theise lynes, to recommend my humble sute to your honorable consideracion: and after the declaration thereof, not to desire farther fauoure at your lordships' hands, then eyther you should think my cause in iustice to deserue, or my selfe for innicency worthy to receyue.

And bycause both myne examinations from tyme to tyme, and the answeres which I made to such questions as were demaunded of me, are sufficyently knowne unto your lordships, I wyll not trouble you with any repetition of them: but only referr it to your graue and honorable iudgments, how cleare I showed my self then by myne owne protestacion: and how innocent I haue bene found since, by any proofe that can be made. Now, notwithstanding all this, my self remayning in the state I do, I haue as precisely as I could, examined mine owne hart and conscience, and ripped up my dealings and procedings, yea even from the beginning and cannott find (God is my wittness) that in word, intent, or action, I haue wittingly given the least suspicion to any, of my un-

* In the draft f. 115 the above form of answer to 16 is cancelled, and beneath it is written, probably in Philip's autograph, "That he never received letters from Charles Pagett, or message, since his first departure over without lycens, which he thinketh to be iii yeres past. Nor any way aequainted with his beinge last in England, tyll he hard the same by some of the ll. of the councell." But a finger drawn in the margin points to the cancelled answer, which is that finally adopted.

The reason for this reversion to a once-cancelled answer is not obvious. Perhaps the autograph form might appear too anxious to score off his examiners, and so was abandoned, for fear of giving offence.

dutifulnes to hir Majesty in the smallest respect. Wherefore seing my conscience is so cleare as I cannott accuse my self : and my dealings haue bene so dutifull, as I am not accused by any : nay seing I haue hitherto cleared my self of all that could be obiected against me, and wylbe redy at any tyme herafter to iustify, eyther by my word, by myne oth, or by the hazard of my lyfe, that I am as dutifull, as faithfull, and as loyall a subiect to hir Majesty as any she hath ; I most humbly beseech your lordships fauorably to consider of my present estate, who though I be innocent in truth, yet am I reputed in the iudgment of many, as an heinouse offendor. ffor to such abrode, as uppon a small ground would be glad and wylling to sound my discredytt, the contynuance of my restraint is in a maner an assurance that I am in some point guilty.

Your lordships may imagine, though I do not express, how greate a greife this condemnation is to him, whose mynd is innocent, and whose hart is dutifull, who would refuse no hazard to make a declaration thereof, and would incurr any daunger for the seruice of hir Majesty, whose study hath bene in euery thing to content hir, and who neuer had a thought in the lest thing to offend hir. Wherfore for mine owne part, as I assure my self your Lordships think it, neyther conuenyent in reason, nor fitt in iustice, that yf any other haue ouershott themselves, I being innocent should beare the burthen of theire ouersight : so yf I be suspected bycause others haue offended : myne humble and ernest desire to your lordships is, that they may be chardged euen uppon theire consciences, as they wyll answere before God, to tell the truth whether euer I was privy or consenting to any such matter or no. Yf I be cleared both by theire oth, and mine owne protestacion, and accused by nobody els : I trust mine innocency sufficiently appeares, Yf any can accuse me I only desyre that I may come to mine answere : Yf I can be conuicted of the lest undutifullnes to hir Majesty I craue no favoure.

Yf nothing can be sayde against me, and yet notwithstanding all this, there remaynes some suspicion of me then I humbly desire your Lordships that it may be remembred, with what duty and fayth I have behaved my self, in all respects towards hir Majesty through the whole course of my lyfe : and I doute not but in your Lordships wyse, graue, and honorable iudgments the certaynty of my dutifull and loyall dealing towards her Majesty at all tymes and in all thinges hertofore, shalbe sufficyent to waigh downe and wype away a bare suspicion only, of my ill dealing and undutifullness now. Wherfore, myne humble desire unto your lordships is, that as you haue found me by myne owne examinations, and as you haue tryed me by the declaration of others : so it would please you to be a meane unto hir Majesty in my behalfe that I may be estemed in hir graciouse iudgment, as I haue behaued and showed my self in all mine actions : and by your Lordships good meanes be restored to hir Majesties fauoure, which I haue euer above all thinges in this world desired, and wyll neuer cease to deserue, by any seruice or duty that my self or any thing that is in me, can performe. And thus humbly commending my sute to your honorable and fauour-

able consideracion : I cease at this tyme farther to trouble your Lordships from your graue and waighty affaires.

ffrom Arundell house, this xiith of January.

Your lordships to commaund

ARundell.

Address.—To the right honorable my uery good lords and others of hir Majesties most honorable priuy counsayle. dd.

Endorsed.—12 Januarie 1583 ffrom the Earle of Arundell.

CHRONOLOGY—15. EXAMINATION OF MR. KEEPER.

SIR FRANCIS WALSINGHAM TO SIR CHRISTOPHER HATTON.

Seething Lane, 30 January, 1584.

B.M. *Additional MSS.* 15891, f. 126^{b}. Printed by Sir Harris Nicolas, *Memoirs of the Life and Times of Sir Christopher Hatton*, pp. 361-2.

Sir, Though for my own part I do very well allow of the course you were entered into touching the examining of Keeper,* yet, seeing the Earl of Leicester doth not hold it best, I think it best forborne until we may confer with him tomorrow what way he shall think meet to be taken with the said party. In the mean time, I doubt not but that you will have care, both that he may be forthcoming, as also that he may be kept from intelligence. They that have given advertisement that he is a priest do take upon them to be most assured of it, as the Lord of Hunsdon telleth me ; and therefore I find it strange that his answers be so peremptory. It may be, when he shall be pressed with oath, he will yield another answer. If he prove to be a priest (as is reported) then will he not greatly weigh his allegiance, having, as the rest of his associates have, a very unreverent opinion of her Majesty's authority. Thus, Sir, I am bold to scribble some more lines than were necessary, and so do commit you to the tuition of the Almighty. At Seething Lane, the 30th of January, 1583 [1584].

Yours most assuredly to command

Fra. Walsingham.

XVI.

THE GOVERNMENT REPLY.

n.d., January 1584.

R.O. *Domestic Elizabeth* clxxviii, n. 31. A draft with corrections ; the whole in Walsingham's hand. N. 32 is a copy of the same in a scribe's hand, and is endorsed : "Heads of a speech to be used from her Majesty to the Earl of Arundel."

In answer to the Earl's protest, Walsingham drafted a speech which should be delivered to the prisoner as from the Queen. We have no evidence that this defence of the Government's action was ever made to Philip. He makes no mention of it in his account of this captivity in his *Letter to the Queen* ; indeed he seems to exclude any such vindication by the prosecution when he writes : "I was restored to my former liberty without hearing any just cause of your Majestie's hard conceit, or any good colour why I was committed, or but the shadow of a fault which I might be touched with." (*Below* p. 103.) Yet in truth such a disclaimer is quite compatible with any use that may have been made of Walsingham's points ; for no attempt is there made to substantiate the charges against him, and the document amounts to no more than an apology for the régime of suspicion. Some of the faults of this piece

* Mr. Keeper was the Earl's secretary. This examination failed to provide any excuse for measures against him, and later he was in attendance on the Earl in the Tower. See *Life*, pp. 108, 128, 129, 138, 148.

of special pleading may still be detected, and they are commented on in the notes. The line taken throughout indicates the entire absence of proof against the Earl. His protest of innocence is acknowledged, and answered by threats "yf it shall hereafter fall out that he shalbe found guyltie." And the conclusion is finally reached that, though the charges are not brought home to him, in the circumstances "this restraint is to be acknowledged by the Earle as a gratious and favourable dealinge."

The conjectural date in the *Calendar* for this document is April, 1585; but from the reference to the Earl's protest and to his being in restraint, it appears to belong to early 1584.

The heades of the speache that is to be delyuered unto the Earle of Arundell.

A.1] To lett him understand that as her Maiestie doth allowe of his humble manner of wrytinge unto her privye counsell and of the great protestacions he hath made of his inocencie touchinge the poyntes whereof he was latelie examined: so he is to be tould that yf it shall hereafter fall out that he shalbe found guyltie in any of the sayd matters he shall then [thereby] double thereby his fault, and exclude himself of the benefitte of her Maiesties grace and fauor, and therefore he is to be aduised carefullie to looke what he answeare[th] consideringe the perill and daunger that otherwise are like to ensue thereby unto him.

2] And to th'end he may not conceave his late restraint hath growen uppon sleight cause, he is to be lett knowe that ffrauncis Throgmorton hath confessed that the Spanishe Ambassador, by aduertisements from the Confederates remayninge in france for the Invasion of this realme, was made privie to the cominge over of Charles Pagett to viewe the hauens and countrie for landinge of forraine force about Arundell, and espetiallie to sound and conferre with certayne principall personnes for assistance naminge expresly the Earle of Arundell* and Earle of Northumberland.

3] And althoughe the saide Earle of Arundell doth deny any such conference or any waye to be privie to Charles Pagettes repaire: yet the Earle of Northumberland being one of the partyes charged acknowledgeth both the repayre and conference with the said Pagett, althoughe he denyeth the matter.

B] That touchinge this accusation three thinges are to be considered. *The first* that the infourmers of this matter, neyther the Ambassador of Spayne nor ffrancis Throgmorton were carryed into the same eyther of mallyce or of practyse†. *Secondarely* that it falleth out trewe in the Earle of Northumberland touchinge the circumstance; and therefore to be presumed that it may be trew in the other. *Thirdly* the inward friendshippe betwene the said Earle and the Earle of Northumberland.

* The complete text of Throckmorton's confessions is not at present known to us. The *True and Perfect Declaration* of his treasons, published by authority (*see above*, p. 41), does not bear out Walsingham's assertion, as the Earl of Arundel's name is not mentioned; so its mention here may only be a *ruse de guerre*.

† The Spanish Ambassador gave no information. This is an endeavour to impose upon the Earl the idea, that the charges against him rest upon the evidence of Throckmorton and the Ambassador, and to hide from him that the examiners were really proceeding on the evidence of such domestic spies as Law.

Now to lead her Majestie the more deapelie to waie the accusation he is to be put in mynde of the circumstances followinge :—

ffyrst he is noted to be fallen awaie in relligion.

Secondly, That his parciall proceadinge at the Session after Mychaelmas in favor of the recusantes gave but unto the world iust cause so to iudge of him : which of it self deserved punishement.*

Thirdly.—The usinge Inwardlie of one James Hill a great practiser with the evell affected.†

Fourthly.—The sufferinge the Lady his wief to have persons ill affected about her, and she her self to be a professed recusant.

ffyvthly.—The Inwardnes betweene Charles Pagett and his wief before his departure out of the realme.

Sixth.—That Francis Throgmorton in a generall place‡ off the ill affected of this realme (disposed to joyne with forraine forces) hath placed the said Earle in the first rancke.§

And, Lastlie it is to be remembred unto him that the Scotishe Queene geiveth him the Tytle of Sonne‖, and that the Lord Henry his uncle continueth his intelligence with her by letters so as the accusation it self beinge duely wayed with the circumstances, it may appeare that this restraint is to be acknowledged by the Earle, as a gratious and favourable dealinge towardes him, and such as no other prynce would have extended towardes one that is in such sorte charged as the said Earle is.

XVII.

THE COUNTESS EXAMINED BY SIR THOMAS SHIRLEY.

Wiston, 9 April 1584.

The questions for the examination are found in R.O. *Dom. Eliz.* clxx, n. 22, f. 44. The answers are in n. 23, f. 46. For the reader's convenience questions and answers are printed together, the former in italics.

The *Life* is a better authority for the Countess's history than for her husband's, as the writer lived with her for a considerable time; and this is the story it tells. Catholic influences had been about her from childhood; all her relatives on both sides were Catholics, and she was religiously brought up by her grandmother, Lady Mounteagle. The support of Lord Henry

* There is no other evidence for the Earl's favour shown to recusants, presumably at Quarter Sessions at Chichester in his own country. The way in which this partiality is brought forward here, makes it seem as though the government had no other proof than this as yet, that he was "fallen awaie in relligion."

† *See above*, p. 47. This charge is made more explicit in the Star Chamber Proceedings. *Below*, pp. 141, 293.

‡ Place—*i.e.*, page, *see* Murray *N.E. Dict.*, *s.v.*, "place," ii, 7.

§ This is a disingenuous attempt to make out that Throckmorton reckoned the Earl of Arundel as a leader in his conspiracy. In the charges at the trial we read "That in Throckmorton's catalogue of all the names of all the Noblemen and Gentlemen of every Shire that affecteth the Catholicks; he began in Sussex, and set down the Earl of Arundel's name the first." The two lists made by Throckmorton of harbours and of persons are not now to be found. As in the first he favoured the harbours of Sussex; similarly that Shire would also head his second list, and the foremost man in the county would naturally be written down first. *Below*, p. 294.

‖ This is matter of ten or twelve years back, and already the Earl had sufficiently cleared himself in his answer under examination. (*See* p. 46.)

Howard and Lady Lumley enabled her to resist the efforts of the chaplains of the Duke of Norfolk, her guardian and father-in-law, to induce her to go to the Protestant communion. She suffered from the Earl's falling in with the ways of Elizabeth's court to the neglect of his wife; and she did not impart the secret to him when she resolved to profess the Catholic faith. Within a month or two the secret was out, and she was presented as a recusant by the inhabitants of Arundel. To her relief the Earl was not displeased; he was treading the same path himself. The Queen however, in the latter half of 1583, ordered her to the custody of Sir Thomas Shirley in his house at Wiston in Sussex. *Life*, pp. 175–187.

Her gaoler conducts the enquiry printed below. R.O. *Dom. Eliz.* clxx, n. 20 is a sheet, perhaps in Walsingham's hand, of the principal matters wherewith the Countess is to be charged. A copy of the same in a clerk's hand [*Ibid.* n. 21] is endorsed "Interrogatories ministered to the Countesse of Arundell with her answeres unto the same." This endorsement seems to show that No. 21 was sent down to Sir Thos. Shirley, and he returned it with Nos. 22 and 23 as enclosures. The political questions, those for instance concerning Paget, are put to her quite at random; there was no ground for connecting her with such matters, and she had nothing to conceal or disclose. As to her conversion, whatever the truth was, she held herself at liberty to reply with the accused's "Not guilty."

INTERROGOTARYES MINISTRED TO THE COUNTESS OF ARUNDELL

By Sr Thomas Sherley knight the ix^th^ daye of Aprill 1584 as hereafter followeth [with]

THE EXAMINATION OF THE COUNTESSE OF ARUNDELL

Uppon the [saide] Interrogotaryes.

1. *What speache have you had concerning this present government of the Queenes ma^tie^: with whome: when: where: and of what effect.*

To the first shee answereth that shee never had anye suche speache to anye person.

2. *It^m^ whither you have not uttered to some, anye speache or worde of mislykinge towards this present government of the Queenes Matie: where: when: to whom: and of what effect the saide speache and worde of mislike were.*

It^m^ to ye Second she answereth that shee hath not uttered anye wordes of mislykinge towards the present government of the Queenes Matie to anye person.

3. *It^m^ whither you have not saide: That this worlde cannot longe last: to whome: when: where: and what moved you to saye soe.*

It^m^ to the third the said Examinatt sayeth that it maye bee in tyme of hir own private miserye: shee might saye as touchinge hir self, that shee hoped that worlde coulde not ever last with hir: but as touchinge hir Matie or present government, shee sayeth shee hath not used anye suche speache at anye tyme: with anye evill intention toward hir Matie.

4. *It^m^ what Massinge preistes, Seminarye priests, or Jesuitts have at anye tyme repayred unto you: where: whenne: what bee theire names: from whome or by whose meanes were they sent, brought or recomended to you. By whose help and privitye: where: and how longe were they harboured and remayned with you: what monnye or other thinge did you give or bestowe uppon them or anye of them: or whither did you receave*

anye message, token or other thinge whatsoever by or from theim : or anye of theim, and if soe then from whome : and what it was : and what is become of theim.

It^m^ to the iiij^th^ interr. shee denyeth to have had anye conferrence with any Jesuitt or Seminarye Preeste, or that anye of that kinde have repayred to hir : nor hath harde Masse at anye tyme : or donne, given, or received anye thinge conteyned in that Interr:

5. *It^m^ whither have you since the death of ye late Earle of Arundell harde anye Masse, or Masses, or have bynne Shriven, absolved, or reconciled accordinge to ye Popishe manner, when, wheare : howe manye : or how often : what bee theire names that soe saide Masse unto you, or did Shrive, absolve, or reconcyle you:*

It^m^ to ye vth shee denyeth to have harde anye Masse or to have bynne Shriven absolved or reconciled.

6. *It^m^ whither have you bynne privie of the departinge and conveyinge out of this Realme, by the helpe & meanes of anye person or persons whatsoever : Of any Subiects evil affected towarde the State & government of this Realme as touchinge the present Religion established : as otherwise what bee the names of sutche : as were convayed over : when, where : wither : and for what purpose did they depart over : Howe, when, and by whome : were they convayed over : what speache or conferrence had you with anye sutche, at or before theire saide departure : what letters, messages, or other thinges have you receaved from theim or any of theim : sithence theire saide departure, by whome, & of what effect.*

7. *It^m^ whither have you bynne the helper and meanes yor self to the departinge and conveyinge out of this Realme of anye sutche evil affected subiects : what bee their names : Whanne : where : and for what purpose did they depart over, whither : howe and by whose helpe and meanes did you convaye thim over : What speache or conferrence had you wth anye sutche, at or before their said departures : What letters messages or other things have you receaved from theim or any of theim : sithence theire said departure, and of what effect.*

It^m^ to the vi^th^ & vij^th^ Interr. this examinatt sayeth that shee was never privie nor partye to the convayinge of anye sutche persons out of the Realme.

8. *It^m^ whither have you receaved anye letters or messages from Charles Pagett, since the tyme of his departure out of this Realme : whanne : by whome : howe manye : and of what effect ?*

9. *It^m^ whither have you written, sent, or conveyed anye letters or messages unto Charles Pagett since the tyme of his saide departure : whanne : by whome : howe manye and of what effect.*

It^m^ to the viijth and ixth Interr. shee sayeth that shee neither received nor sent letters or messages to Charles Pagett since his first departure out of this Realme.

10. *It^m^ whither were you previe unto the late cominge over of Charles Pagett : whoe first gave you knowledge therof : whither he came to you : or you to him duringe his saide beeinge here : where : whanne : and what speache & conferrence he had with you : whether he sent anye letters or messages unto you : or you unto him duringe his saide aboade : Whoe were the meanes or messengers betweene you : what was ye effect of the saide*

letters or messages: What was the cause of his cominge over: where: wth whome: and about what matters hee hadd conferrence: and dyd remayne during his sayde beeinge here:

It^m^ to the xth Interr. shee sayeth that shee was not otherwise privie to the Cominge over of Charles Pagett: but by comon bruite: neither doth shee remember: whoe first gave hir knowledge of it: & farther sayeth that shee never repayred unto him: nor hee to hir: & that theire passed noe letters nor messages betweene theim in that tyme.

11. *It^m^ whither have you in Publique speache used anye contemptuous worde to the defaceinge of Religion now established here in England: where: whanne: before whome: & for what cause have you donne the same?*

It^m^ to ye xi^th^. shee denyeth to have used anye sutche speache to the defacing of the Religion now established.

12. *It^m^ whither doe you repayre to anye Churche or Chappell or place, where the Devine Service now established is sayde or used: & whanne & where you soe to doe?*

13. *It^m^ when and where did you last heare or was present at the Devine Service nowe established: & how longe before that tyme did you accustome soe to doe?*

It^m^ to the xijth & xiijth Interr. the saide Examinat sayeth y^t^ shee doth not repayre to anye Churche or Chappell: where Divine Service is used: neither hath donne by the space of two yeares and a half last past:

14. *It^m^ what was the cause of yor Revoulte from Religion, beeinge once well persuaded: or whoe disuaded you from the same.*

It^m^ to the xiiijth Interr: she sayeth that shee was never persuaded by anye person to Revoulte from the Religion now established, but in the tyme of the severawnce from my Lo: hir husbande giving hir self to studye: by readinge certeyne bookes*: shee confirmed hir self in that opinyon shee now standeth in.

15. *It^m^ have you not receaved from anye boddye Coppyes of the Popes Bulls: or hallowed graynes: nor have you nott receaved from some a peice of a bloddye shirte: or somme lynnen stayned wth the bloode of some of theim that of late were executed here in England for treason?*†

16. *It^m^ from whome did you reccave it: And by whome was it sent unto you?*

It^m^ to the xv^th^ and xvjth Interr. shee sayeth that shee never Receaved any sutche thinge from anye person mentioned in the saide Interrogotarye.

No. 23 *f.* 46 *is signed* Anne Arundell.
and counter-signed Thomas Sherley.

* "By reason of a book treating of the Danger of Schism she was so efficaciously moved, that she made a firm purpose by the grace of God forthwith to become a member of the Catholick and only true church of God." *Life*, p. 182. Books such as Gregory Martin's *Treatise of Schism* pointed out that for those who held the old faith to attend the new services was to run the peril of schism. The *Life*, p. 175, speaking of her from the time of her marriage, says that under strong persuasion "she went to Service and Sermons with the rest, yet could she never be drawn to communicate amongst them, ever finding some means or other to avoid it."

† This question again takes for granted the truth of George Law's story (*above*, p. 43).

CHRONOLOGY—16. THE EARL'S RELEASE FROM RESTRAINT.

April 1584.

In his letter to the Queen (*below* no. XXIII) the Earl complains that he was kept a prisoner in his house for at least fifteen weeks after his examination. He is reckoning from 24 December 1583 (XIV. *above* p. 45), and this would put the date of his restoration to liberty soon after 8 April 1584. The French Ambassador, not so intimately informed, writes, 26 April 1585, "le compte d'Arondel . . . n'y a pas quatre ou cinq moys, a esté mis en liberté" (*below* p. 110); and again, on 4 May 1585, "n'y aiant pas cinq ou sis mois qu'il fut eslargi" (*ibid.*). This would incorrectly postpone the liberation to about November 1584. There is no official record of the event; the charges against him had failed of proof; and the restraint was withdrawn.

He had abandoned the court fashion of estrangement from his wife, and his first child Elizabeth was born during Lady Arundel's imprisonment at Wiston.

XVIII.

THE COUNTESS (i) IN CUSTODY, (ii) AND RELEASED.

We do not know at what date the Queen ordered the Countess into confinement. The *Life* is confused; and as she was at liberty in September 1584, the statement of the *Life* that "she remained Prisoner for the space of a year or more" (p. 187), is probably an over-estimate.

i. THE COUNTESS OF ARUNDEL TO SIR FRANCIS WALSINGHAM.

Wiston, 10 June, 1584.

R.O. *Domestic Elizabeth.* clxxi, n. 15. Autograph. Two sheets much damaged by damp.

Good Master Secretary, When I was first . . . . whose favour I might crave for recomend . . . declare my innocensye [an]d dutifull . . . because you are in pl . . . but also for the genera . . . especially of the favorable . . . mesirye wherein as I was the[n] . . . grasious opinyon might res . . . ind ff . . . continuance of my unfortunate estate dothe inforce me againe to trouble you, trusting to reseve suche favoure of you, good Master Secretary, as the clearnes of my conscience dothe geve me cause to hope for. for mine owne harte cannot acuse me of any undutifull thought to hir Maiesty, nether will I require any further favoure then you shall find the truthe of my answers worthey to desarve. which dothe imbolden me to intreate your honorable disposition, that it may please you to move hir Maiestye for hir grasious good opinion towards me, and that I may be relesed of this imprisonment, if it may stand wth hir pleasure. Which is in no respect so grevouse unto me as in that it is a plaine argument of the continuance of hir Maiestis displeasure; which howe it dothe trouble me, god knoweth; and I wishe it were as well knowen to hir Maiesty, for then I am sure it would move hir to pittye. and thus recomending my unfortunate case to your honorable and frindly care, I comitt you to god; from Wiston this io of June 1584.

I have also been bolde to solysite my Lord Thresurer herein.

Your very loving friend
Anne Arundell.

Addressed.—To the right honorable Sir Fraunces Wallsingham, Knight, Princypall Secretary to hir Maiestye.

Endorsed.—10 June 1584 ffrom the Countesse of Arundell. To be a meanes unto her matie for her enlargement.

ii. SAME TO SAME.

Howard House, 12 September 1584.

R.O. *Domestic Elizabeth* clxxiii, n. 12.

Good Master Secretary, I understand howe frindlye it hathe pleased you to deale for me in this time of my late imprisonmentt, in being a continuall meane to hir Maiestye for my libertye; which being nowe obtayned, I acounte it to have been much furthered by your helpe; for the which I remaine greatly beholding to you, and will never geve you other cause then to thinke your great cortesye bestowed of one that is thankfull. I besech you Syr lett me be bolde to desire the continuance of your frindshipp, for surely I will never desarve other, thus good Master Secretary, with my continuall wishe for increse of all your good fortune, I comitte you to god; from Howard house, this 12 of September 1584.

Your very loving frind,

Anne Arundell.

Addressed—To the right honorable Sir Frances Walsingham princypall Secretarye to hir Maiestye.

Endorsed.—12 September 1584. ffrom the Countesse of Arundell: thanckes for gaininge her libertie.

XIX.

HOWARD TRADITIONS IN "*LEICESTER'S COMMONWEALTH*," 1584.

The political tract, which goes by the name of *Leicester's Commonwealth*, was one of the most effective ever published against Elizabeth's Government. As its nickname indicates, it was largely taken up with the misdeeds of the queen's favourite, Leicester; and this catalogue of crimes so far as we can see, grew up by degrees. In the earliest recension at present recognized, it embodies some traditions about the Howards, the occurrence and form of which call for more attention from us than does the satire itself in its final form, though about this too a few words must be said.

While there are at present no books against Leicester known to us before 1584, it is important to notice that there once were several. There were scandal-bearing writings in plenty as early as the death of Amy Robsart in 1560, and in the Bull of Excommunication, 1570, the Pope went out of his way to apply the phrase "*flagitiorum serva*" to the Queen, which he would not have done, unless he were sure that a considerable amount of evidence would be, if needed, forthcoming in its support. Printed books, probably began with the controversies that followed the French match in 1575. Stubbs, we know, published an attack upon the match in 1579, and the French answered this, though we do not yet know the particulars. On the 30th of July, 1580, however, Parry wrote to tell Cecil that "there is a slanderous book lately printed in this town . . . and *the lives of Leicester and Hatton are added.*" (Domestic Calendar, *Addenda*, p. 10). This book, presumably in French, has not yet been identified. In 1581 again perhaps a similar publication was contemplated; for Walsingham told Leicester in 1584 (when the *Commonwealth* did appear in print), that he had expected it "three years before."

Moreover, both this book, and Father Persons's *Philopatris*, refer, though indefinitely, to "books" (in the plural number) of this character, and Persons, in particular (§12) speaks of "entire books, both in English and in French."

From all this we can see that the words of Mr. John Bruce, who edited *Leicester's Correspondence*, may be accepted without scruple, "Leicester's Commonwealth went through many stages and forms both in manuscript and print."

Though the printed edition is not the most explicit about the Howard traditions, we may speak of it at once, because it is so well known. It appeared anonymously at Paris or Rouen in September, 1584. With our present fairly full information we can say with some certainty that the editor was Charles Arundell; with assistance from other exiled followers of Mary Stuart. Robert Heighington is mentioned as assisting him in a later political tract, and Thomas Fitzherbert is named as aiding with the French Translation. Father Robert Persons also had something to say to the book. At least he promoted its circulation, and though he denied authorship, it may well be that he encouraged the writing, or perhaps helped to correct or print it. The style (which as might be imagined is not aggressive) is not that of Persons; but the ulterior object of the volume, to promote the succession of the Queen of Scots, against the Protestant candidates proposed by Leicester, was quite to that Father's mind. Indeed in the Catholic council of war held in the Spring of 1582 (at which both Allen and Persons were present), it had been agreed that books with that object should be encouraged . . . "to explain the brutality, dishonesty, cruelty and crimes of the present queen . . . and to make manifest to all the right of the Queen of Scotland." (Kretzschmar, *Invasionsprojekte*, 1892, p. 145, §9.) The present volume did not aim at all these objects; but a party, which had taken the above resolution, would fully approve of *Leicester's Commonwealth* as issued.

A good story is told of the origin of this book, and now that we have the manuscript recension before us, it seems much less unlikely than it did before. The narrator is no other than Father Persons himself, though we only know his narrative in an abbreviated form (Persons to Agazari, 13 December, 1584, in Grene's *Collectanea P.*, f. 459). The essential points are these. Leicester, having quarrelled with Lord Burghley,* took to Elizabeth Allen's answer to Burghley's book on *English Justice*, and said that Burghley's controversy had ended in the defeat and disgrace of her government. Elizabeth told Burghley, who, in great dudgeon, composed this book against the favourite.

So long as we only knew the printed book, this seemed well nigh incredible; but now that we have the MS. recension, we can see that the story is at least very cleverly put together. Though the evidence, as we now have it, is of hardly any intrinsic value, and though the chances seem infinite against Lord Burghley committing so much dangerous matter to writing for so slight a motive, still, if he did write, this recension certainly might represent his mind, though it is far more likely to have come from one of the conservatives such as Lord Henry Howard. It shows a full acceptance of the Elizabethan settlement in the state and no repugnance on the score of religion, though Leicester's puritanism is attributed to base motives.

There is no doubt that the manuscript is earlier than the printed book. Almost everything in the former is found in the latter, except a passing reference or two to contemporary events (as to the death of Leicester's son, Lord Denbigh, [? 22] July, 1584), which might have been added by the scribe. The printed book is ten or twelve times the bulk of the manuscript; and yet, while the manuscript is so much shorter, that is because it treats fewer subjects.

* There was no doubt heavy sparring between the two at this very time. We have letters on both sides, in Strype *Annals*, iii, i. 503–6.

It does not abbreviate from the book, but treats its own topics with greater fullness than they are found in the print. It is also much more simple and original in conception, as our extracts will show. In fine, Mr. Bruce's conclusion must certainly stand that the MS. is " one of the early forms " of the more widely known book.

It is unnecessary to criticise closely the three Howard traditions, which are here extracted and published. The value of the evidence is clearly slight, so far as details go. But the first story confirms the well-attested popularity of the duke. The second confirms the letters of Leicester's ally, Walsingham, to Hatton in no. XXVII, on the attempts to cow the spirit of the young earl. The third should be compared with p. 53. It is important to see that Howard mischances are put in the forefront of national grievances.

1.

Our manuscript is, Record Office, MS., *Domestic Elizabeth, Addenda,* Vol. xxviii, no. 113, ff. 369 to 388. The title page has got widely separated, and may be found in *Domestic,* clxxv, no. 101. The manuscript is in a very bad condition. Damp has rotted large holes in the paper, three of which go right through, while other parts are so much discoloured that letters are often illegible. The penmanship is good, uniform and evidently conscientious ; blanks having been left for words which could not be read, and some passages certainly deficient in sense have been copied without emendation. The dialect is noteworthy, though, for the above reasons, one cannot always be certain of the readings : moreover it may also be an affectation, or disguise.

The imperfect title page, full of character and probably also of mystification, suggests an anagram.

§§ A

Letter of estate sent to his Freende HR in Gratious strete where in is Laide oPen the Pract[ices and d]evices of Robert Sutton alias D[udlie Erle of L]ecester his Packinge w^{ch} [. . . ab]road his intraPPinge of the . . . his RaPines m . . . and . . . ries w^{t} other his d . . . abhominable actions o d i u s in the [sight] bothe of God and Mann laide oPen by [way] of Sircumlocutione.

The beginning of the preface has perished,

. . . overcome with thy importunitie, I have . . . ye some of suche private talke and . . . &c.

The conclusion of the tract is at f. 388v.

. . and this according to my promisse I [have] sente the, so muche as I can well re[member] till tyme discover the rest, soe . . . be wise and careful.—R.F. (*or possibly* R.P.)

The book itself begins—

f. 369. A letter of estate sent to his friend in Gracious Street ; wherein is laid open the practices and devises of Robert Sutton alias dudlie, earl of leicester, &c.

[Leicester and the D. of Norfolk.]

f. 371*b*. [Robert Dudlie, after treason to Mary, obtains mercy] . . . by that thrice noble duke, the duke of Norfolke, too whome in most base manner the wreach came . . . crep[ing] prostrate

on the ground, besechinge his grace to be a meane, if it were possible for the preservation [of his] life. Whose wreached case this noble duke pitieing, as one alwayes preste to helpe the distressed, in fine [he] so labored with [the Queen] that, y^t^ which these leaste lookte for, he [obtains] a pardon for . . . treacherous life, which . . . full well . . . requited, proving the [cause] of the du[ke's] confution. For now beinge [? no longer] in presonn, where afore for his life hee durste not . . . his fac[tion], hee secretly in his mischivus brayne conspired the subversion of him, which had saved his life. for having [a] conspiring mind of his own, tristinge after dignities . . . and authoritie, and knowinge the nature [of the] noble duke to be clenne opposite and contrary to . . . such [pride], that duringe his life it was not p[ossible] for him to atchieve his conceaved enterprise, [hee] imagined in his wicked braine all me[ans and] waies that might be to remove this stomb[ling block]. Now knowing the Duke to be rially [descended] of high parentage, and gen . . . nobles and commens, . . . [half line] . . . seasinge to [? buzz in his . . . fantastical prophesies unto . . . [half line] . . . Howards belonginge . . . Duke through the . . . [half line] . . . (f. 4) and wicked counsell of this accursed and vild achittophel, as entering into the Scottish Queenes title, and contracting matrimony with the same Scottish Queen: which heynous matteres of high consequence, far above his reach and capacity . . . opposite to the statutes and laws [half line] as being called for the [half line] by sufficient proof and [half line] to the great hate and sorowe of [half line] comons was for the same of high treason condemned, wherein he had no so great an enemie as this vilde (*sic*) wreach, whose life hee beefore had saved as a fatall instrument of his own confution. For had the noble Duke sofored him as he worthely merited to [have] receaved the rewarde of his treasons he [nev]er had lived to have intangled . . . the noble duke in such a laborinth, whereout he could never untwinde him selfe without the losse of his dearest blud, as afore said.

And yet was hir ma^tie^ of her mercie and clemencie att the intreaty of the nobilitie, who greatly bewailed [this] mischance, fully determined to have pardoned . . . of all the fatall sentence of death paste against . . . him which this vilde wreach greatly . . . knowing in what treacherous manner . . . ealt and that then in some measure . . . in tyme cry quittance with him, (f. 4 v.) confederats with one that shalbe nameless about the dukes presente and speedy execution, and yett they knew there was a bore in the l . . . during whose presence no such thing could bee putt in execution. and therefore most politically under the [co]ller of an embassage . . . the determined to . . . packing til . . . there drifte was . . . winge . . . great others and . . . during . . . absence no such thing . . . raich attempted. but the nobleman was scante here entr . . . into the sea, when with all diligence they put there pretended purpose in practise, procuring with all speede a warrante as [from] hir ma^tie^ unto the shirifes and maiestrates [of] the city the night afore the dukes execution that not any eyther

m^rs or servants should . . . once to stir forth of there dores afore ten o clock the next day att the leaste . . . the lanes and fleete ende towards the . . . to be kepte and garded with . . . whereas contrary wise no . . . great commande there was . . . seaven a clocke the . . . uppon the Tower green . . . this lamentable speech . . . ten thousand peop[le] (f. 5) When as had the duke but held up his finger, as one not willinge to have sofered what he did, all the force there had, had it bine tenne tymes more had not bine sufficiente to have performed that which at that tyme with quietness they executed: but his patience in soferinge made plain declaration how farre he was from such matter: for when hee . . . tower hil and vude the huge [? crowde] of people assembled, as one which the feare of deathe no whit appenced, with cherefull, countenance tornes him sell towards them & heartely praies and instantly desires them that now in his passage out of the [world] and life full of cares, sorowe and misery into a life full of ioy and heavenly bliss they wolde not by there clamore or any other meanes be any occation of disturbance unto him, but quietly to sofer him to pass forth of the same. Only these few words he had to say unto them for the [co]loringe of that false rumor went upon him, which was that where as hee was noted too [be no] great favourer of papistes and also him . . . to be no other, they greatly wronged him . . . d of him and that hee hoped . . . ies of salvation but by the . . . christe only.

(f. 5*b*) And thereof hee desired them all to bee witnesses and then torninge him selfe towards the nobilitie desired them to commend him [to] his good lady and mistres, whom he so grievously had offended and to desire hir to stande good lady to his children, who through his folly and n . . . d he lefte in the worlde as orphans—without a guide v[nless] . . . hir ma^tie of hir accustomed clemencie did protect them under the shadow of her winges. And so taking those which were next him by the hande, and the reste by gesture whome he could not reache to, lovingly and kindly took his leave of them all, and then torning him selfe towards the executioner frankly and freely forgave him his death as hee him selfe was to bee forgiven and after his prayers saide m . . . and willingly kneled downe on the scaffolde and receaved death with the stroke of an [axe], committing his soule in to the hands of h[is God] and his body to be inteared in yearth.

Att which wofull spectacle were more w . . . then ever was seene in that place, [neither] is like to be sene againe, all generally lamenting that . . . woful accident (f. 6) But this was that which his Lordship expected and with such greedy appetite sought after, knowinge full well, as if that house should have flourished, it had in no manner bine possible for him to have been suited in such lordly and princely state as now he doth. . . [half line]. . .

Havinge rid this stomblinge blocke . . . [half line] . . . is his chefeste lett, stay and . . . [half line] . . . ees to clere the coste of the . . . [half line] . . . was a [whot]spure in . . . [half line] . . . [m]ight as ill indure his [? sucquedcy], as the other castes in his braines all practices and

devices to bringe him with in the compasse of his bowe. But alas he neded not to have caste so far about for that bird, nor yet have angled so deepe for that fish that [of] his oune accord was to ready preste to enter into the net of disobedience and rebellion against his prince and native cuntry drawinge in like manner into his traiterous sosietie one that in every degree might have [? played] checte mate with his lordship and bine . . . rrwaie in each respecte who while . . . ere faithfull true and loiall livid . . . princes ther subiects in no smale . . . the with there prince and (f. 6*b*) But as the state of subjects could not content them, but that with lucifer they muste nedes conspire against their hed prince and governor, so in their downfall most plainly appeared . . . nde of all false traytors and treason. . . one of them so . . . ee worthely merites death for . . . and treachery . . . yorke* the [blank]. . . wth li[fe] yet in forced to lead a life. . . [half line] . . . then death, exiled† forth of his native cuntry, to wander in a forraine enemies of the same, his treasons and treacherie caste everye daye in [his] nose by the baseste and rascalleste kinde of people as a fitt posie for a traiter to smell . . . and uppone complainte there of, lafte at and scorned as one that loveth treason . . . the traitor besides the perpetuall st . . . to . . . never liberty to be restored where as . . . have bine contented to have lived . . . in truth and loialty as they ought to h . . . in credit and honnor they . . . furth theire daies as any . . . [half line] . . . Peres who so ever but . . . [half line] . . . we may be hould . . . [half line] . . . (f. 7) [Leicesters intrigues with Queen & Dame lettice, none being left to control him.]

(f. 13.) [Leicester and the Earl of Arundel.]

Falling into talke, the cheefeste was of crestes, when he, seming to be ignorante in that which hee knewe too well, like god Backus out of his cuppes of wine, demands what was the Earle of Arundels creste, when presently one of his knaves makes answer, "and it like your Lordship, the ramping horse." "Hang, hang" quoth hee, with an envius laughter, "not much unlike, for as the horse that is wild and untamed will sofor no mann to mounte or tame hime. but kicke and flinge, sofering no man to come nighe him, but ready to lepp upp on every others backe, so the same horse beinge taken and tamed . . . sed a while to the snaffell, bitt or . . . becomes in short tyme so gentill . . . stable that any mane whosoever . . . sitt him and ride him (f. 13 b) whome afore for his fercnes none durste lay hand on for feare of danger, hurte or spoylinge. [? Mock]inge the noble mann in his miseries [to whose] predecessor hee was so much be hold[ing to].

2.

The Parallel Passages in "Leicester's Commonwealth."

When the manuscript *Letter of Estate* (enhanced by the legend of Burghley's authorship) came into the hands of Charles Arundell and his friends, they

* Thomas Percy, Earl of Northumberland, suffered at York, 22 August, 1572.

† Charles Nevill Earl of Westmorland, lived in exile after the Northern Rising of 1569, 1570.

resolved to re-edit it in conformity with the recommendations of the Council of War, quoted above. The principal thing was to work up to the succession of Queen Mary or King James; and they were among the first English writers to do this, undeterred by the unconstitutional opposition of the English Ministers.

Such an addition involved great changes. The *Letter of Estate* had avoided raising the worst charges (such as the murder of Amy Robsart); now they should be given plainly. Though the tone should still be quite restrained and Queen Elizabeth should not be touched, the accusations against Leicester should be open and unfaltering. This involved entire rewriting. The whole was thrown into dialogue form (this is openly stated in the French Title *q.v.*) though thereby the diffuse, antique style of the *Letter of Estate*, with its perhaps affected dialect, had to be abandoned. Great numbers of further allegations were worked into the story. So complete is the freedom in rewriting, that I can find no literal quotation from the manuscript in the printed page. If, however, the second and shorter passage is compared with its original, we see that the paraphrasing is absolutely studied. It must really have been more deliberate than mere copying would have been.

Such alterations, however, do not make for increased authenticity. Partizanship is plainly more rife now than before.

The long title, which is given in full, should be compared with the original title, and with the French Translation. The words *Leicester's Commonwealth* do not occur here: but they are found in capitals at page 52 (= 45). The book reached England in September, 1584.

The great mistake made in this book is the excessive denunciation of Leicester. This was done at so much length as to obscure the patriotic purpose of the publication. Such denunciation of a court favourite is very liable to exaggeration and error. This enabled its opponents to throw over the whole indictment as mere calumny, and the patriotic object was lost. Government suppressed the book by a letter of Privy Council: a special law against it was introduced into Parliament but dropped. The government were so used to punishing the sale or possession of prohibited books, sometimes even by death, that further powers proved unnecessary. *Leicester's Commonwealth* was circulated in manuscript copies among the courtiers, but otherwise it was little heard of, and it probably did more harm than good to its side.

[*Title.*]

The / Copie of a / *Leter vvryten by a* / Master of Arte of Cambrige / to his Friend in London; Con- / cerning some Talke past of late betvven Tvvo vvor- / shipful and graue Men, about the Present State, / and / some Proceedinges of the Erle of Leycester and / his Friendes in England.

Conceyved, spoken / and publyshed vvith most earnest protes- / tation of al duetyful good vvyl and affe- / ction tovvardes her most excellent Ma. / and the Realm, for vvhose good onely it is / made common to many / . . .

Anno M.D.Lxxxiiii.

Leicester's Cunning Device for Overthrowing the D. of Norfolk.

Neither is it any new device of my Lord of Leicester to draw men for his own gain into danger and hatred with the state under other pretences. For I could tell you divers stories and stratagems of his cunning in this kind, and the one far different from the other in device, but yet all to one end. *I have a friend yet living that was towards the old Earle of Arundel in good credit, and by that means had occasion to deal with the late Duke of Norfolk in his chiefest affaires before his troubles.*

This man is wont to report strange things from the Dukes oune mouth of my Lord of Leicesters most treacherous dealing towards him, for gaining of his bloud as after appeared, albeit the Duke when he reported the same mistrusted not so much my Lord's malice therein.

Leycesters cunning device for overthrowing the D. of Norf.

But the sum of all is this in effect: that Leicester having a secret desire to pull down the said Duke, to the end that he might have no man above himselfe, to hinder him in that which he most desireth; by a thousand cunning devices drew in the Duke to the cogitation of that marriage with the Queen of Scotland, which afterward was the cause or occasion of his ruin. And he behaved himself so dexterously in this drift, by setting on the Duke on the one side, and intrapping him on the other: as Iudas himself never played his part more cunningly when he supped with his Master, and set himself so near as he dipt his spoon in the same dish, and durst before others aske who should betray him? Meaning that night to do it himselfe, as he shewed soon after supper, when he came as a Captaine with a bande of Conspirators, and with a courteous kisse delivered his person into the hands of them, whom he well knew to thirst after his blood.

The impudency of Iudas

The very like did the Earle of Leicester with the Duke of Norfolke for the arte of treason, though in the parties betrayed there were great difference of innocency. Namely, at one time when her Majesty was at Basing in Hampshire and the Duke attended there to have audience, with great indifferency in himself to follow or leave off his suit for marriage: (for that now he began to suspect, her Majesty liked not greatly thereof.) my Lord of Leycester came to him and counselled him in any case to persevere and not to relent, assuring him with many oathes and protestations, that her Majesty must and should be brought to allow thereof, whether she would or no, and that himselfe would seale that purpose with his blood. Neither was it to be suffered that her Maiesty should have her will herein, with many other like speeches to this purpose: which the Duke repeated againe then presently to my said friend: with often laying his hand upon his bosome and saying; I have here which assureth me sufficiently of the fidelity of my Lord of Leycester: meaning not only the foresaid speeches, but also divers letters which he had written to the Duke of that effect, as likewise he had done to some other person of more importance in the Realme: which matter comming afterward to light, he cosyned most notably her Majesty by shewing her a reformed copie of the same Letter, for the Letter it selfe.

The speeches of Leycester to the Duke of Norfolk

Leicesters cousenage of the Queene

But now how well he performed his promise, in dealing with her Majesty for the Duke or against the Duke in this matter, her Highnesse can best tell and the event it selfe shewed. For the Duke being admitted soon after to her Majesties speech at another place, and receiving a farre other answer than he had in hope conceived upon Leycesters

promises, retyred himselfe to London, where the same night following he received Letters both from Leycester and Sir Nicholas Throgmorton, upon Leycesters instigation (for they were at that time both friends and of a faction) that he should presently flye into Norfolk, as he did, which was the last and finall complement of all Leycester's former devices, whereby to plunge his friend over the cares in suspicion and disgrace, in such sort as he should never be able to draw himselfe out of the ditch againe, as indeed he was not, but dyed in the same.

* * *

D. Dudlie's Jest at the Earle of Arundell.

D. Dudlies jest at the Earle of Arundell.

Sitting one day at his owne table (as a Counsellor told mee that was present) he took occasion to talke of the Earle of Arundel, whom he then had not only removed from the Counsell, but also put into the Tower of London*, being (as is wel known) the first and chiefest Earle of the Realme. And for that the said Earle shewed himselfe somewhat sad and afflicted with his present state (as I marvel not, seeing himself in prison and within the compasse of so fierce a Beares paws) it pleased this goodly Duke to vaunt upon this Earle's misery, at his owne Table (as I have said) and asked the noblemen and gentlemen there present, what crest or cognizance my L. of Arundell did give ? and when every one answered, that hee gave the white horse : I thought so (quoth the Duke) and not with out great cause ; for as the white Paulfry when he standeth in the stable, and is well provendred, is proud and fierce, and ready to leape on every other horses back, still neying and prauncing, and troubling all that stand about him ; but when he is once out of his hot stable, and deprived a little of his ease and fat feeding, every boy may ride and master him at his pleasure : so it is (quoth he) with my Lord of Arundell. Whereat many marvelled that were present, to heare so insolent speech passe from a man of judgement, against a Peere of the Realme cast into calamity. . . .

3.

Addition in the French Translation.

On the 30th of March, 1585, Sir Edward Stafford the Ambassador at Paris wrote in great anger, " The book against 124 is come out again with a verie filthie addition . . . They give out it is done at Cologne, but for my part I think it done either at Rheims or Eu " (R.O., France, 30 March, 1585). He then goes on to counsel " better let it alone." Hitherto Leicester had urged forcible remedies ; but now Stafford's advice was followed.

It will be noticed from the title (and the same conclusion would be strengthened by further collation) that the same freedom is now used in translation, as before in editing. The name of Thomas Fitzherbert is mentioned as interested in the sale of this book (R.O., *Addenda*, xxix., n. 39, *Calendar*, p. 150) but the translator is not known.

From this French addition the story about the Howards must be cited here, but with the same warnings as before. The volume quoted is British Museum, 10806 a. 10.

* Lord Arundel was never a member of the Privy Council, though it seems that he sat on the Commission against Vallenger in the Star Chamber. His confinement in 1583–1584 was to Arundel House, not to the Tower.

[*Title.*] Discours de la vie Abominable, ruses, trahisons, Meutres, impostures, empoisonnements, paillardises, Atheismes, & autres tres iniques conuersations, desquelles a vsé & use iournellement le my Lorde de Lecestre Machiaueliste, contre l'honeur de Dieu, la Maiesté de la Royne d'Angleterre sa Princesse, & toute la Republique Chrestienne. *Traduict d'Anglois en François & mis en forme de Dialogue auquel le Legiste, le gentilhomme & le Escolier sont introduits pour la plus facile declaration du present discours.* *M*.D.LXXXV.

(After p. 123) Addition du Translateur, ou sont declarez plusieurs actes enormes et indignes de chrestien commis par le mesme Lecestre &c.

My Lord Fait Devoir de Semer Debat entre les Grands Seigneurs et Leurs Femmes.

(p. 132, *b.*) Je me deporte de parler du devoir qu'il a tousiours fait de semer & nourir debat & noise, entre les plus grands Seigneurs d'Angleterre & leurs femmes. . . Pour dire la verité sa seigneurie n'a pas tousiours beaucoup gaigné à ce ieu, mais a quelquefois pesché, au lieu d'un poisson, une grenoille, et autrefois perdu hameçon, ligne, peine honneur & tout. Et de telles sortes de ses practiques, ie vous pourrois amener diuers exemples, comme celuy du Comte d'Arundel & sa femme, esperant par ce moyen ruiner la plus grande & honorable famille d'Angleterre. Le mesme il a fait à l'endroit du Comte d'Oxenford & sa femme fille de Monseigneur le Tresorier d'Angleterre: et ce pour satisfaire à vne haine inueterée qu'il porte audict Seigneur Tresorier. Il a faict aussi la pareille entre le Comte de Southampton & sa femme, pensant par ainsi faire assouuir sa volupté & appetit lubrique, bien qu'il ait esté frustré de son intention: mais entre toutes les autres pratiques celle qu'il a mise en auant entre le Comte de Schresbury & sa pretendue femme est digne d'estre remarqué &c., &c. De tous ces exemples alleguez ie vous pourroy (dy-ie) faire vn discours en particulier, si n'estoit que ie les laisse passer soubs silence, comme chose de peu de cas, en respect des autres ia mentionnées.

XX.

THE INFORMATIONS OF NICHOLAS BERDEN, SPY. 1585, 1586.

Spies are frequently heard of in the life of Earl Philip, as indeed they are throughout the history of Elizabeth. In one sense this is not wonderful. Government machinery was still very undeveloped. The ministers of the crown were not the heads of large organised offices, as we now see them, each with their own traditions and discipline, and their own particular fields of action. Then each minister was a courtier with his own personal following, and each needing his own intelligence department. There was as yet only one fixed embassy, that to France. To gain information about the rest of the world, the secretary of State had to use his own intelligencers, his own detectives. There had to be such men and many of them; but the persecution at home, and the wars of religion abroad too often gave to these hirelings a repulsive character. They were generally traitors to their own consciences, and they often perfidiously frequented the sacraments, merely to betray others who went to them in good faith. Again, they were constantly untruthful. It was to their interests to feed their employers with highly flavoured stories, and they knew that the discovery of the truth must be rare and slow. Until

account is taken of the alarming stories regularly sent in by spies, it is impossible to understand the still existing popular illusion as to multitudinous Catholic plots against Elizabeth's life. It is necessary therefore for the Earl's biographer to take stock of this class of State paper.

There were two spies in particular, who had much to do with the Earl of Arundel. The first of these was a priest Edward Grately, *alias* Bridges ; but the tendency of our new documents is to diminish suspicions in his regard. Father Persons has told us in his Memoirs, that Grately at first "behaved splendidly."*

In 1584, he became chaplain at Arundel House, and the Earl's messenger to Allen. Ultimately however in 1586, while in exile, he turned traitor to his religion and his friends ; his extant letters prove this beyond question. But his motive was not of the lowest kind. He was not blood-lusty, or anti-religious, but he hankered after an escape from the toils and sufferings of the persecution, and was too friendly with wastrels like Gilbert Gifford, Morgan and Paget. Certainly his fall coming not long after his stay with the Earl, and his intimate correspondence with the Earl's friends, was calculated to make those friends extremely suspicious, and we cannot at all wonder that the author of *The Life* took it as obvious that Grately must have been the miscreant responsible for the Earl's arrest.† But we may well look further afield, and lay the blame (so far as harmful information is concerned) on Nicholas Berden.

For two years, 1585, 1586, Berden was one of Walsingham's most ample correspondents on Catholic matters. There is a difficulty in tracing his treachery further back because he used the name Roger, which happened to be curiously common among Walsingham's spies. An enumeration of some of these Rogers will therefore be in place here, the more so as some of them will re-appear in this correspondence.

1. Roger Almond (or Amon *alias* Vavasor), who is described as "well known to Walsingham," betrayed Father Holt in March, 1583 (*Domestic Calendar*, 1581–1590, p. 207 and *Bowes Correspondence*, in the Surtees Society, 1842, p. 372). 2. Again it was Edward Rogers, *alias* Nutteby, who seems to have similarly betrayed Francis Throckmorton in November, 1583. 3. Another Roger was servant at Rome of the pretender John Stuart, arrested in Rome in March, 1584. 4. *Vice versa* there was also an honourable Roger, who was in those suspicious days at one time arrested as a spy. This was Roger Yardley (*alias* Bruerton), once servant to the Catholic confessor Mr. George Gilbert ; he was sent by the Catholic authorities to Castel Sant Angelo in Rome, for fear lest he should be a spy (C.R.S., iv. 85). But he eventually proved his fidelity by long imprisonment in England, and he will re-appear in this correspondence. ‡

5. Finally there is also Thomas Rogers, known through his letters to Walsingham from 1585 onwards, and who is now to be identified *through his handwriting*, with Nicholas Berden. Whether he may not be identified with either Roger 1, or Roger 2, or Roger 3, is still a moot point ; it has not been attempted here. As he claimed to be able to write in more than one hand, and used several names, it may take long before we can trace his villainies either further back, or further on.

* Optime se gerit :—3 February, 1582, *C.R.S.*, iv., 41.

† The Earl himself does not seem to have had that suspicion, or he would have mentioned it during the trial. For Grately was mentioned in the evidence as if he had always been on the Catholic side. If the Earl had known that the contrary was true, he might have made a very effective retort.

‡ In *C.R.S.*, iv, 54, *note* and elsewhere, I have mistakenly identified him with Berden. But Yardley continued constant in the Tower till 1588 (*C.R.S.*, ii, 283), a period during which, as this correspondence shows, we know that Berden was a traitor at Court.

His correspondence, though never yet collected, has been cited in several publications, especially in the Record Office *Calendars*, and in Father Morris's *Troubles of our Catholic Forefathers*, so that it would not fall within our province to print the whole correspondence integrally, and indeed much of it is beside the purpose of the biographer of the Earl of Arundel. The following letters have been chosen to provide such a biographer with all that he is likely to require. Not only are all the passages and references which treat explicitly about the Earl given entire, but also whatever is clearly connected with his cause, his friends, his followers. There remain, however, other passages, and other letters. These are either given in abstract, or are at least exactly referred to.

Berden, as will be seen, was from time to time intimately connected with many Catholics, and the information he offered was very full. But was it also reliable? Walsingham evidently thought so; for in no. XXI we find him confiding in Berden's knowledge and judgment beyond all due limit or measure. The Elizabethan minister is characteristically substituting, for the judgments and administration of the law, the findings and prescriptions of his spy subordinate. This is further discussed in due course.

Again a modern scholar, Mr. Robert Lemon, a late Calendarer of *State Papers* for the Record Office, has formed a most exalted estimate of Berden's communications. This he has shown in his note to no. XVII below, in which Berden promises to communicate the letters of Charles Paget, Charles Arundell, Throckmorton and Sir Francis Englefield; "the whole affairs" of Allen and Persons, the affairs of Mary Stuart, and the news of the Queen Mother, Catherine de Medici. Mr. Lemon declares there is "little doubt" that this was the secret intelligence which enabled Walsingham "to counteract the designs of Spain, resulting in the destruction of the Spanish Armada." Truly a wild exaggeration, which collapses as soon as we consider the conclusion of the correspondence. The truth is that Berden, though he gave a flowery forecast of the valuable secrets he was going to disclose, signally failed to redeem his promise; and Walsingham soon had to pension him off. Besides, even if he had kept up the correspondence he promised with Brinkley, Fitzherbert, and other honest but obscure Catholic exiles, what chance was there of their knowing the state secrets of Spain? How different from modern scholarship this simple faith, that Walsingham's spies possessed the same omniscience, which Comedy has attributed to Lord Burghley's nod! Sir John Laughton says, "the reports of spies, who felt bound in honour to give full value for their hire, grossly exaggerated the size, the might, the armament and equipment of the fleet at Lisbon" (*Navy Records*, I, xxxiii).

Berden, as our correspondence shows, did not in fact ever busy himself about the fleet at Lisbon; he confined his attention to the betrayal of Englishmen at home to death and imprisonment. But the charge of unveracity applies to him, as to his fellow spies abroad. Wherever we can control his statements, we find them sometimes false, sometimes inaccurate, or out of date, exaggerated or prejudiced. We can never trust him wholly.

Still, his letters are well worth reading. To begin with, he seems to have had a sort of standing commission to watch the Earl. Of him (and of no one else) he says repeatedly "I can find nothing." With this in mind the absence of news in so many other letters has a certain meaning, which is not to be overlooked.

Again, we hear much about the persecution in general, about the life of Allen, and the English Catholics both at home and in exile, and we pick up, indirectly and despite misrepresentations, many valuable details not to be learnt elsewhere. The first letters tell us not a little about life in the Tower, to which the Earl was soon after to be confined, and on the 13th of April we

find Berden directing Walsingham's attention towards "the creeks near Arundel," and towards Portsmouth, and using strong arguments for watching them carefully during the next few days. In effect Bray, the man of whom Berden was writing, was arrested where and when the informer said he might be found. We may well suspect, therefore, that Berden if any one was the informant, to whom the arrest should chiefly be attributed. If so, then the Earl's arrest must also be ascribed to the same agent, for he was captured together with Bray, though Berden knew nothing of their companionship. But of course the arrest *may have been* entirely due to the vigilance of the local men.

In the July following our spy made, what he doubtless considered a masterstroke. He managed to find the priest Edward Strancham or Transome (or Barber), and next day they were arrested together. But "Roger" had played his part so well that the good priest never suspected him, and bravely refused to make any answer that would injure his companion supposing him a Catholic (*C.R.S.*, v., p. 125, § 26). But immediately after Strancham's martyrdom, Berden, *alias* Rogers, crossed over to France with Strancham's papers in his pocket, and by playing these trumps carefully, he wormed his way into the confidence of some much trusted English Catholic exiles, and so he begins a new series of letters VIII to XVI, in which their most cherished plans are laid before Elizabeth's Secretary.

It is not possible to question the importance of these communications, but their proper value is not so easy to settle. Those who have studied the diplomatic correspondence of the Vatican will soon recognise that the news, though true, is really very stale. These are plans, which had been formed two years before, and they had really never passed beyond the stage of being *proposals*. The King of Spain by whom they were to have been executed, had refused to support them, and they remained abortive ideas. Political and religious exiles, are wont, like drowning men, to catch at straws, and in a later information (XIV *end*) Berden owns that "he is not so confident now" about the projects, on which he had so often expatiated.

Little wonder that a few months later still our spy returned home, though without any command to do so from Walsingham. That was why he presented the Secretary with that very ample proposal for obtaining the confidential correspondence of the Catholic leaders, which so much impressed Mr. Lemon, as we have already learned. But Walsingham (*pace* Mr. Lemon) appears to have taken little heed of it. No doubt he would have rewarded him had he produced the promised letters. But reading between the lines we can make out many reasons which would make an official hang back. From XIX onwards, we see an ugly "craving" for money; moreover if one studies the correspondence carefully, one sees that Berden was expecting Walsingham to give him news, with which he might trade with the exiles. But Walsingham evidently had no idea of doing this, and so Berden's grandiose project appears to have fallen flat.*

Walsingham, however, at midsummer 1586, was on the point of winding up the Babington plot, and his chief agent, Thomas Phelippes, was glad enough to use Berden's services during the crisis: so he employed him, but rather as a temporary detective, than as an informer. There are no more long letters from him, such as came before. He was employed in the searches for Ballard

* Miss Sophie Crawford Lomas, one of the present calendarers of the Record Office, writes with more criticism that her predecessor, "Rogers, *alias* Berden, another of Walsingham's most successful because most treacherous spies, played his part as an ardent English Catholic in Paris, and sent much information of their doings, sometimes about men who, unknown to him, were also in Walsingham's pay." *Foreign Calendar*, 1584, 1585 (1917), p. xliv.

and Babington; and he caused the arrest of Father Weston. Two years later a letter or two from Charles Paget came in (R.O., *Dom. Eliz.*, ccviii, nn. 39, 63), and they are now in Walsingham's correspondence. But considered as informations, they are of no particular value.

The undignified end was now near. Walsingham forbad him to answer "Throckmorton's speech against him at Paris," so he prays he may be nominated for the post of "Pourveyor of poulty to her Majesty," and in the final letter he writes to thank his patron "for the post I now enjoy."

Here the correspondence ceases: but whether the man now became an honest and industrious citizen, history does not say. Yet I find a statement of one Gilbert Laton, 28 February 1593, who says that he conferred with Latwise *who called himself* "*Rogers*" *when in England,* and came thence to Valladolid to the English College there, and was animated by him to go forward and kill the Queen." This was quite an ordinary device of Walsingham's spies: and they were also (as we have seen) curiously fond of the name "Roger." We can only wonder whether this may not be a new "turn" of an old, though not a trusted friend (*Domestic Calendar*, 1591–1594, p. 323).

Information I, London, March, 1585.

R.O., *Domestic Elizabeth*, clxxvii. 48. Not signed, but endorsed March, 1585. This letter is printed in full, Morris, *Troubles* ii, 153–155.

Berden describes a dinner he has had with Edmonds the Jesuit, *i.e.* Father William Weston. He reports four or five houses to which the Father resorted, and that one Ingram would give directions for finding him hereafter. Weston also spoke of his hopes that King James would become a Catholic. Berden then gives the names of eight catholic gentlemen, and of eleven priests who resorted to them; he hoped to supply more shortly.

"Also the Papists do expect forty or fifty priests from Rome and Rheims* to arrive here in England, which news [Richard] Dr. Allen's man did bring unto them, and with their coming I hope to be made acquainted. Thus, according to my duty, I have advertised your honour of the premises, and for my farther service and duty to be done, I rest both night and day at your honourable commandment, as also to pray God to maintain your honour with much prosperity."

Information II, 6 April, 1585.

R.O., *Domestic Elizabeth*, clxxviii, n. 11; no signature.

Right Honourable.—I had conference with Jarves Perpoynte † late prisoner in the Tower conserning crayton ‡ the Scottishe Jesuite there, viz., whether he had any means to confer with his ffrends. He answered me that when Crayton was first comytted, he was lodged in the Martyn

* See *A list of priests sent on the English Mission from the Colleges of Rome and Rheims.* 1575–1585, in Knox, *Douay Diaries*, p. 296.

† Gervaise (Jarvis, Jervais) Pierrepoint, or Perpoint, is reported in November, 1586, to be "A verie obstinate recusant, and a maintainer of all Seminarie priests and papists." He had been in the Marshalsea before he was committed to the Tower, and 15 June, 1586, he was recommitted to the Counter. In 1588 he was sent to Wisbech. *C.R.S.*, ii, 231, 259, 269, 279. He was uncle to the first Earl of Kingston. Some genealogical details in *Calendar Domestic*, 1584, pp. 151, 152.

‡ Father William Crichton, the well-known Jesuit father, "a forward man" for King James. See Tower Bills in *C.R.S.*, iii. The Martin Tower, in which he was at first confined, was at the North East corner of the ballium.

Tower, right over the lodging of Nicholas Roscarock*, which sayd Nicholas did often times by some devise open ij doores which were between their lodgings & so they conferred at pleasure. . . Also such letters as Crayton did write were by the said Nicholas conveyed out of his chamber window, which was near the ground to a little mayden, which was sent often to him from Orton†, which was late banished, & so by him farder conveyed out of the Tower. . . Some to the Lord Graye, late ambassador for Scotland. But I cannot learn if this is so after Orton his Banishment. I understand Crayton is removed from his ould lodging and keeper.

When Perpoynt was lodged near Crayton in Marten Tower, he had the same means to conferr with Roscarrock, which Crayton had. .

Mr. William Shelley‡ hath changed the conveyance of his letters from fyshe and his wyef. Johe Deawe his wife is admitted to him. [*Margin*: John Deawe is prisoner in the Clynke, servant to William Shelley, to him Shelley conveys all his letters.] At the Clynk yesterday, I saw a note that came from the Marshallsea from Richard Shelley§ to be conveyed to the Tower to William.

William is much discouraged that Snappe his servant is apprehended and now prisoner in the gatehouse. . . He had 100 li delivered unto him to depart the realme, when the said William Shelley was apprehended. London this 6th of Aprill An° 1585.

Information III, 13 April, 1585.

R.O., *Domestic Elizabeth*, clxxvii, n. 19. For the biography of the Earl, the important parts of this letter are the marginal note to *Answer ii* and the postscript. As has been shown above, this information would naturally make Walsingham intent on watching "the ereeks about Arundel" and Portsmouth if only to arrest Bray and Yardley; and this he would have

* Nicholas Roscarrock appears to have been the (? 4th) son of Richard Roscarrock of Roscarrock in St. Endellion, Cornwall. Maclean, *Deanery of Trigg Minor*, i, 558, who quotes Richard's *Inquisition, p.m.*, of 17 Elizabeth, *Wards and Liveries*, xviii, 33.

He is probably indicated by "N. Ros." in Lord William Howard's Calendar, B.M. *Arundel MS.* 83.—"[Die] jovis tertio februarij, Anno xlv^to^ Eliz. Rñe [= 1603]—N: Ros: [? Roscarrock]: Tho. Wid: Ric. Floud: Ric. Bedoe et Alic List:" He is reported in May, 1585, to be imprisoned "for religion only," and "fit to be banished." *C.R.S.*, ii, 238. See also *below*, p. 349.

† Henry Orton is described in *C.R.S.*, ii, 228. He figures frequently in the *Douay Diaries*, as travelling on College business. He returned to England with Campion's missionary party, and was the first of them arrested, July, 1580.

‡ William Shelley, then head of the Michelgrove family, was confined to the Tower for having interviewed Charles Paget (15 September, 1583). For his trial see *Fourth Report of D. Keeper*, p. 274. His estate had been forfeited during his life, and he will reappear in the trouble of 1589.

§ Richard Shelley, of Warminghurst, had been a prisoner in the Marshalsea in 1582, but in March, 1585, he was again committed for profferring to Elizabeth the petition of the Catholics against the barbarous laws of 27 Elizabeth. Here he died before long. He is mentioned in the *Domestic Calendar*, 21 October, 1585, but his name does not figure in the later prison lists. A copy of his petition is in the *Westminster Archives*, iv, No. 4. It has been printed in *The English Protestant's Plea and Petition for English Priests and Papists*, 1621, pp. 34–44. (B.M. 3939, aa. 43.)

done also in the hypothesis that nothing was known about the meditated escape of the Earl. When, therefore, the Earl was arrested in Bray's company two days later than this letter, and in a locality Berden pointed out, we may legitimately suspect that Berden, if anyone, was the informer, who occasioned the Earl's capture, and that it was, in our martyr's regard, truly accidental or providential.

In other respects also this letter is of importance, because it gives explicit information to Walsingham on subjects which Catholic correspondents in their fear of persecution prudently suppressed as a rule. These subjects are :— 1. Catholic book-sales (*Answers ii, iv* and P.S.). 2. The collections for the support of the Seminaries (*Answer iii*). 3. The entry of newly ordained priests (*Answer i*).

Right Honourable. May it please you to be Advertized that uppon Easter daye last [11 April 1585], I conferred with Richard servante to Doctor Allen, whoe is prepared to departe from london towards ffrance to morrowe in the Nighte with a payer of Oers to Tilberry [? fort], where one Nicholas de hew a ffrench man of Callys, will attend for him, and so to convey hym to Depe or some other place nere to yt. There passes in the same Shippe [to] Callys one Barker of Oxfford, & Moore of Cambridge (as they call themselves* and bothe masters of Arte) to be made Preists at Remys.

[*In Margin:* Richard, if he do nowe escape, is resolved to be in England agayne aboute Mydsommer, with some newe bookes and his promyse is to make me his only chapman for them at some reasonable pryce.]

Question [i].

I demanded of the sayd Richarde what means the priests had to come into England and whoe Receives them at there firste Entrye.

Answere.

He answered me that Doctor Allen dothe use to deliver to Every preist for his journey into England vi or vii^{li} in monye & a new sute of Aparell to weare at his ffirst Arryvall in England ; & that the sayd preists moste commonly do come over in ffrench boates that come to Newcastell for Coales, whoe do lande the sayd Preists either at Newcastell, or in some Creeke nere to the same. They make Choyse of that place the Rather for that Robert Higheclyf her Ma^{ts} officer at Newcastell is a papiste in harte & made acquaynted with there comynge, & that his wyef is and hathe bynne a papiste this iii or iiii yeres, and that by her Directions the sayd preists with there bookes do passe in Securitie, And that the sayd Higheclif hathe certen servants dwellinge aboute the Creeks nere to Newcastell which willingly do R[eceive] the Preists and helpe to convey them farder into the lande, Unto the houses of one Goodericke, hareclif, Grymshawe, and Nevell, all gents of great livinge, where the sayd Preists are R[eceived] and change there apparrell, and are provided of horses for there Jorney to London or ells where.

Question [ii].

What became of all the bookes lately prynted, viz. [1] Doctor Allens booke of the Answer to the Execution of Justice [2] the libell or booke wrytten againste the lorde of lecester and [3] the booke wrytten by the

* Neither name appears in the *Douay Diaries* of this year.

byshoppe of Rosse of Scotland, conserninge the Succession of the Crowne of Englande.*

ANSWERE.

That William Braye, of whome I have heretofore made mention, and Rogers Alias Bruerton, late Servants to Mr. Gilbert, that ffled England aboute iii yeres paste, broughte over the greatest parte of them.

[*In Margin*:—This Rogers alias Bruerton† was lately taken by the Sheref of Hampshyre at Winchester and sent up to Byshoppe Cooper and by hym comytted to the Clynke, where he did breake pryson, and Remayneth at a Wydowes house, a ffarmor betwene portesmouth and peterffelde, where he dothe attend William braye his comynge to hym for that, they are to passe in one Shippe from some Creke nere to Arrundell.]

And that there do Remayne at Roane in the Custodye of one fflynton there, 1000 of Allens book, 1000 of the lord of lecester his book and 500 of the Byshoppe of Rosses bookes, which book the sayd Richard shoulde have broughte over, butt he durste nott. I demanded of Richard whoe was the Principale prynter of all the bookes wrytten by the Semenaryes he Answered me that ffñne‡ of Remys is the man; and there corrector for this iii yeres paste was Anderton whoe he sayeth is lately come into England.

[*In Margin.*—This Anderton is of Kyndered to younge Anderton of Grayes Inne, a notable younge Papiste.§]

* The Books referred to are (1) William, Cardinal Allen, *True, Sincere and Modest Defence of Catholics*, 1585 (reprinted in *The Catholic Library* Herder, 1914). (2) *Leicester's Commonwealth*, for which see the previous section. (3) John Leslie, Bishop of Ross, *A Treatise touching the Right, Title, and Interest of the most Excellent Princess Marie, Queen of Scotland*, 1584.

† Roger Yardley, see p. 67n. He was not seized on this occasion, but was taken a year later, returning into England, just before the unfolding of Babington's plot. That conspirator to put Walsingham off his own track, spoke on that occasion with reprehensible innuendoes about Yardley: saying that he "was very like to be a man for that attempt" (*i.e.*, on the Queen's life). So at least Poley reports (*Scottish Calendar*, viii, 598, but neither man's word is reliable here). Elizabeth declared herself "marvellous glad" (*Ibid.*, 625) at his capture. Babington afterwards (*Examination*, ix) said that he only knew of Yardley through Poley and Savage. Yardley remained constant in prison till 1588 (*C.R.S.*, ii, 283); and later still (about 1608) Father Persons wrote—*fece bene*, "he did well," *C.R.S.*, iv, 84.

‡ ffñne. This name is presumably to be identified with ffñme below, and to be taken as an abreviation of fflynton. On George Flinton *see* Postscript and Gillow's *Dictionary*.

§ Robert Anderton, the corrector of press, was the venerable martyr, for whom see *Lives of Martyrs*, Ser. II, i, 202. *C.R.S.*, v, &c. He was at Rivington Grammar School and converted in 1580. Though according to Mr. Gillow he belonged to the Andertons of Euxton, it seems more probable that he was the eldest son of Thomas Anderton of Chorley, a Protestant. This will also make him brother of Laurence Anderton, S.J., who wrote under the name of "John Brereley, Priest." This agrees well with the martyr's literary tastes: and Thomas Anderton, *alias* Barton, S.J., a nephew, was also an author. "Young Anderton of Gray's Inn" was presumably Christopher Anderton of Lostock, the martyr's first cousin. Though Foster dates his admission as 10 June, 1588, Christopher is found described as "of Gray's Inn" at an earlier date. He succeeded to Lostock in 1613, was aged about 31 in 1595, and died 1619. (*Communicated by* H. I. Anderton.)

QUESTION [III].

Who weare the Pryncipale Collectors for the Semenaryes ?

ANSWERE.

That Havard is one of whome I have mentyoned heretofore and is nowe Removed his lodginge to the Signe of the byshoppe in ffiet strete, which havard hath presently some good parcell of monye to convey with the ffirste opportunytie, And Blackwell, Hardwicke, Hollowell and Willson * Preists, this Willson is for the moste lodged at the lady Gylfords, whoe is marryed to Mr. Gage and some tymes at Mr. William Shelley his house in trynety lane. This Hollowell usethe the Northe parte of England and at his comynge to london he is lodged either at Sir George Peckhams house or at Mrs. Meany's † with blackwell, where hardwicke lodgethe in london he knoweth nott butt he Allso ffrequentethe the Northe parts.

[*In Margin.*—This Hollowell dothe collect from all the Northe parte of England and deliverethe the Monye to Blackwell. That Braye afforesayd hathe some great some of Monye from Willson and others to convey.]

QUESTION [IV].

What bookes are in pryntinge, whoe is the prynter, and whoe did wryte them.

ANSWERE.

That Doctor Saundirson‡ of Rhemys hathe lately wrytten a booke of invectyve matter against the present state and government of England. That Dureus§ the ffryer of Eawe hathe allso wrytten a booke declaringe that Papists (Catholeques as he termeth them) cannot dwell in England withoute perrill of there lives, and withoute the offence of there Conscience (as the ffrenche men do dayle obiect agaynste the Papists which live abroade). These bookes he thinketh will be Reddy aboute mydsommer. And ffume of Rhemys afforesayd hathe pryntinge of these bookes.

This is the Summe of our Second and laste Conference And I do suppose that yt is his ffull and direct knowledge of the premysses.

* Of these priests Blackwell, the future Archpriest, is the best known. He is repeatedly at this period found foremost among the missionaries. and later on the apostate Bell, in a prolix account of the clergy of Lancaster, also describes Blackwell as first among them. (*Westminster Archives*, iv, fol. 429, a copy made in 1662, when the original was already defective). Hollowell will be Oliver Holiwell, of the English College, of whom Father Persons wrote, "he is doing much good" (Morris, *Troubles*, ii, p. 39). He is also mentioned by Harsnett. Thomas Wilson was one of the first priests at Douay (*Diaries*, p. 4). John Hardwich, of the Archdiocese of York, was ordained in 1581. (*Ibid.*, p. 10.)

† Sir George Peckham of Denham, Bucks, and Widow Meanys (Manny) *olim* Anne Scott, were now compelled by government to reside in, or close by London under observation. They also both figure in the witch-movement of this time, see *The Month*, May, 1911. For Peckham see also *D.N.B.*, Lathbury, *History of Denham*, 1904, and Merriman, *American Historial Review*, April, 1908.

‡ John Saunderson S.T.D., diocese of Chester, had been one of the first priests and professors at Douay College, and in 1596 was reckoned among the chief of the English clergy in exile (*Douay Diaries*, p. 374). The "Book of invective matter" is not otherwise known ; indeed the phrase "invective matter" appears to mean very little in Berden's mouth.

§ "Dureus the friar of Eaw" (Eu), is Father John Dury, a Scottish Jesuit, who had written *Confutatio Responsionis Whitackeri ad X. Rationes P. Campiani*, 1582, which had just come out in a second edition.

I have with all dilligence Enquyred what means Crayton the Scotte in the Tower may be conferred with or wrytten unto butt I can fynde none Butt only Jarves Perpoynte hathe tould me that he hathe founde a meane to convey letters unto hym and yf I will wryte he hathe promysed me to convey my letters saffely and to procuer me Answer; provided that the partie which muste do yt must have consideracion for his paynes, butt what he is, he sayeth he hathe sworen not to bewraye. London the preasent Tewsdaye in the Easter Weke *An°* 1585. [*No signature.*]

Righte Honorable Sithence the wrytinge hereof I made means to be acquaynted with William Braye, fayninge to bye some of his bookes yf he had any to sell; and by chaunce this present daye I mett with hym at the bell in Aldersgate strete where he is well knowen butt Reddy to Ryde onwarde of his voyage to Roane as I suppose, for that he sayd unto me that he shoulde nott come agayne to London before Mydsommer yett neverthelesse he hathe Referred me to Tremayne his brother for New testaments yf I nede, in whoese custodye there is Remayninge 90 unsolde, And yf I be desyrous to have any Resolucions newly sett furthe by parsons the Jesuyte he hathe Directed me to seke oute William Hartley the late banyshed preiste whoe is presently in London * with some store of them and was with hym nott half an hower before I came to hym. The sayd Braye hath promysed me to pleasure me with the ffirst of any new bookes that he shall happen to bringe over hereafter. He allso toulde me that fflynton is dead at Roane within these xiiii dayes, as Hartley reportethe, and his bookes delivered to Mr. Shelton.

[*In Margin.*—This Hartely was prysoner in the Marshallsea.]

London this preasant Tewsdaye as afforesayd.

Memorandum to praye a pasporte for Thomas Revell Alias Browne to go into Lecestershire Darbyshire and Shropshire to visit his frends and to procure his healthe and allso to Bathe.

Endorsed.—13 April, 1585. Secret advertisementes.

Information IV, London, 30 April, 1585.

R.O., *Domestic Elizabeth*, clxxvii, n. 47, f. 117, miscalendared as March.

Doctor Allen's man Richards is yet in London, & determyned to stay iii or iiij days untill some passage may be provyded for him. He is fully persuaded that the costs are layde for hym.† He is yett lodged at Mrs. Beazants house by my lord Montagues house. This day I had some conference with hym, and by him I do understand that (one Havarde), a gent who is lodged at her Majesty's Coopers near Pauls wharfe, practices to provide Richard his passage, with viii or x other gentlemen, one the son of Lady Townsend of Shropshire. Their passage to be about Arundell, & they should lodge with servants of William Shelley. Richard also laboureth

* For the Ven. William Hartley, see *Lives of the Martyrs*, Ser. II, i, 522. This letter shows that he returned to England at once, which was not otherwise known.

†"The costs are layd," *i.e.* that information has been laid with the searchers at the ports along the coast, for his arrest. The reason for this fear was the arrest of his fellow Bray, who had been seized with the Earl a fortnight earlier.

Sterling the shipmaster, or he would pass with widow Throckmorton (*margin* widow to the late traytor Frauncis Throckmorton], she passes about Easter to be a religious, and to carry money to the Seminaries. I attend your honours pleasure for Richards arrest. As yet I cannot learn who hath spoken to Crayton, except the late banished traitor Orton, but I know not how. Perhaps he has the same means as William Shelley his fellow prisoner, who conveys through Fish, butler to the Tower ; and Fish's wife takes them to Deaw. Deaw sent in to Shelley the answer to the Execution of Justice, and my Lord of Leicester his booke ; and got them back when Shelley had finished them. I humbly thank you for £20 received. This last of April An° 1585.

Information V, London, 2 May, 1585.

R.O., *Domestic Elizabeth*, clxxviii, n. 39, printed in full in Morris, *Troubles* ii, 155, 156.

The priests who are determined to remain in England [*i.e.*, after the time for departure fixed by the law of 27 Elizabeth] or who shall come in later, are to be relieved by Mr. Henry, the son of Lord Vaux. This gentleman with Edmonds the Jesuit, Floyd, Jetter, Cornelius, Stampe and C. Holland priest met at Mr. Wylford's at Hoxton, and it was agreed that Lord Vaux should pay 100 marks, as also Sir Thomas Tresham, Sir William Catesby, and Mr. Wylford 100 marks the year, and other gentlemen lower sums. The money will be collected before 40 days, so as to avoid the Statute, and be disbursed by Mr. Vaux and his servant Harris. Priests will then shift for themselves during the summer season, at inns, &c., and avoid the houses of Catholics. Then they hope some help from the entreaty of foreign princes, or by some general petition * : if no help, then to adventure the danger of the Statute, London this 2nd day of May, anno 1585.

Information VI, London, 11 May, 1585.

R.O., *Domestic Elizabeth*, clxxviii, n. 52.

That letters are conveyed to the Queen of Scots by Ralphe Elves, servant to Mr. Fenton of Norleaze, Derby.

Information VII, London, 26 May, 1585.

R.O., *Domestic Elizabeth*, clxxviii, n. 72, printed in Morris *Troubles* ii, 158. The address is at the head ; no signature.

[Gives the names of eleven priests, working in London, and kept on alms supplied by Henry Vaux. The last priest, Ralph Ithell,† *alias*

* An allusion to the petition presented by Mr. Richard Shelley in March, 1585.

† John or Ralph Ithell, or Udall. He came to the College of Rheims from Douay (where he had presumably gone through preliminary Studies) and arrived February, 1580. He is described as of the diocese of Llandaff. Having completed his studies, and been ordained, he left 21 September, 1581, and is said to have been "sent to England." We do not know anything about the years 1582 to 1584. Berden adds that he had come over about a month ago (*i.e.*, in April, 1585) and had previously been a year in Paris, and that he was there "familiar" with Morgan, Paget, and the other political exiles. He was finally arrested in the house of Sampson Lowe, who was also taken, and Ithell was sent to the Tower (? 29 September, 1586). *C.R.S.*, ii, 258, 282. But the exact day of his arrest is not yet clear, nor whether Sampson Lowe was the same address as the "tailor's house near Clement's Inn," which Berden gives here.

We know nothing of Ithell's trial. He is alleged to have "corrupted" many young gentlemen and to have been "accused directly by Babington" (but his name is not mentioned in Babington's extant examinations) and also to have been

Udall, had been provided with lodgings by Berden, which he now betrays, and gives the following account of Ithell's opinions (omitted by Morris).

Ithell thinks the K of France doth secretly confer by letter with the Duke of Guyse, and that he doth well allow the proceedings of the said Duke. He says the King has . . . delivered something in private speeches to the Pope's nuncio and the Spanish Ambassador. He also thinks the King favours Morgan & that he gave leave for Arundell & Paget to revise his letters after Morgan was arrested. The money in Morgans room was 30,000 li: and the King promised it should remain safe. The day after the arrest the King dealt (at the invitation of the two Charleses) with the Nuncius & the Spanish Ambassador. Also at Ithell's coming away it was reported Lord Paget had no pension, for that all were to be stopped.

Rewards are given, & are to be given, to the French post, *Large* who carries for Charles Paget, & Ch. Arundell, Throckmorton, Hyll, Fyncham, Wootton, Covert. Ithell was entrusted by letters from Chambers at Eawe to procure in England a pension for Large. They desire an agent in London, and Ithell offers to give me credit for this post. But I must have your honour's pleasure first]. He hath also promised to give me credit with Persons the Jesuit by the help of Edmunds, if I will devise any sure means for conveying of letters.

We next come to Berden's connection with the martyrdom of the Ven. Edward Transome or Strancham, *alias* Barber.

Edward Strancham was examined soon after his arrest, 17 July, 1585, and this confession is extant, printed *C.R.S.*, v. pp. 122 to 125. In his answer to the 26th question he says:—

"The man who was taken with him was one Roger, whom he never knew before the morning that he was taken. Being asked whether he will upon his oath say that he never knew him before, he refuseth to swear."

That this Roger was the same as Berden, *alias* Rogers, is practically certain from the sequel. For immediately afterwards Berden, under the name of Rogers, crossed into France, with Strancham's papers in his pocket, which he used to win credit with Catholics, and to worm out fresh secrets, which he might betray. It is not so sure that the arrest was due to Berden. It may have been due to some other rascals in Walsingham's pay; but, of course, the probabilities are against our spy, who was in any case engaged on some villainy or other.

After his arrival in France, Berden corresponded both with Palavicino and with Walsingham, beginning on the 3rd of August. He now adopts a somewhat more consequential style. He begins with a short colourless letter *in piano* signed Thomas Rogers; but on the blanks he wrote his secrets at great length in invisible ink, now gone brown, and generally hard to follow. Eight of these letters are now preserved at the Record Office, among *Domestic Addenda*; having been transferred there from the section *France*. They are therefore "calendared," in very full summaries, both as *Addenda*, and as *Foreign*. The latter, however, copy the former, with a few corrections. Upon arrival

"condemned" (*C.R.S.*, ii, 282). When Berden was commissioned to annotate the list of prisoners, he cruelly wrote against Ithell's name "Hang him." But he was left to linger on in the Tower, where he was one of the priests who "practised to say Mass" (*ibid.* p. 280) in the Earl's time. He was then sent to Wisbech, but here in easier circumstances he unfortunately became very quarrelsome, and apostatised in 1599 or 1600. (*C.R.S.*, ii 210 n.)

Berden's letters were handed over to Phelippes the decipherer, who endorsed them with a full precis of their contents, and marked them "X." Later on he marks them "B," or "80."

Berden's first news-letters after his successful treachery were naturally the most ample and valuable; he has much to tell us about the Catholic leaders and their plans. But those who are acquainted with the papal and other correspondence of the day, will soon recognise that Berden's news is really very stale indeed. In the year 1585 he is simply re-telling the plans for 1583 (Chronology 13). It may be that some of his informants among the exiles still clung to those long antiquated proposals. Their hopes and fears had led them to form such projects, but Philip of Spain had expressed his refusal to the Pope's special legate, Archbishop Sega, in October 1583, and without Spain no plan could be executed (Kretzschmar, *Invasionsprojekte*, Leipzig, 1892, pp. 100–101). Again next year 1584, Philip had answered that he could do nothing more than grant a subsidy.

The proposed expedition of the Duke of Guise was similarly an obsolete idea, especially since the death of the Duke of Anjou, 10 June, 1584, when the Huguenot Henri de Bourbon became claimant to the French crown. By ensuring a civil war, this prevented the Duke of Guise, the Catholic champion, from taking part in any expedition outside France. This became still more certain after Guise's agreement with Spain at Joinville in December, 1584.

The true state of affairs became obvious to all after James had been captured at Stirling by the Protestants (3 November, 1585).

Berden then writes, Information xiv., as though the previous talk of expeditions had been altogether the fault of the exiles: and as if he himself had not been a greater sinner in this matter than anyone else we know of. The real reason for this morbid gossip was doubtless to play upon Walsingham's morose dread of Spain, whose power had recently been increasing in Flanders, especially as on the 17th of August, 1585, Antwerp had been re-captured from the Dutch.

Information VIII, Rouen, 11 to 13 August, 1585.

R.O., *Dom. Eliz., Addenda*, xxix, nn. 38, 39, two letters to Palavicino and Walsingham. They go over exactly the same ground, and are very much alike, the former being now very faint, the second letter is followed in spelling, &c.

In my letter of 3 August I certified you that [John] Drury and [Edmund] Hay the Jesuits had started for Scotland 10 days before. They went to the Earl of Huntley with instructions from the Duke of Guise, and the consent of the King of France. The King of Scotland is taken as papistical by all the papists here. Charles Arundell is to lead the army to England, if it should be invaded. This I learnt from Charles Paget, with whom I travelled to Rouen, whither he came to be present at the profession of two Englishmen, and two women of the Order of Sion. I am invited and intend to be there.

I found my tokens brought the effect I looked for. I have also certified what friends the papists have at Court, and that the Earls of Cumberland and Rutland [George Clifford and Roger Manners] are in working by Fortescue [Ballard] and Dryland, but their women friends I cannot as yet learn.

f. 72. I have delivered the token of Transom *alias* Barber to Thomas Fytzharberde, whoe upon sight therof, Received me into his Companye moste willingly & hath gyven me credytt with all the Papists here at Parrys except Charles Padgett for that they are devided into ffactions, viz., the Bishoppe of Rosse, Charles Padgett, Thomas Morgan & Thomas Throgmorton & some few Prests, & on the other parte is doctor Allen, persons, & all the Jesuyts with all the Rest, & as for doctor Allen, he playeth on both hands & Thomas Throgmorton is Rather with the

Jesuyts & ther partie then agaynst them. Charles Arundell with the Duke of Guyse shall conduct some part of an army upon the west parts of England, the Erle of Westmorland, whoe is also at Parys, is promysed to receive x thousand men & c thousand crownes of the D. of Guyse to invade the Northe parts upon Westmorland syde, & also he in secret determined to take with hym the ii younge Sonnes of the late Erle of Northumberland by force upon the Southe parts, that Thomas Throgmorton shall invade with Spanishe forces. The duke of Guyse will invade England by way of Scotland, and other Spanish forces to enter upon Ireland. This is thought to be performed this winter. God give them evill spede, as I doubt not. And this hath Thomas Fytzhaberd ymparted to me in gret secrett upon the sight of the 3 cyphers which I showed him.

I do understand also by him that Thomas Throgmorton goeth very shortly into Spayne to furder the practize, & that persons is secretly in the campe of the Prince of Parma to practize the like & that shortly he goeth to Rome aboute the same matter. . . .

Thos. Fitzherbert hath offered me a chamber, but if I be lodged there, I must lodge emongest a great number of the lybells in Frenche that weare wrytten agaynst the Right honourable the Erle of Lecester. . . .

Charles Pagett is nowe here in Roane & wrytinge a booke in answer to the booke that was sett oute againste Throgmorton* & also against the boke of the Earle of Northumberland's death†, butt he expecteth what shalbe prynted agaynste William Shelley, and so to prynte his boke in Englishe and latyne, Cledro the prest here dothe stay to penne yt, &c. Of the cause of the Erle of Arundell his intent to go oute of England I can lerne nothenge as yett, Neyther that eny on this syde was acquainted with that matter only doctor Allen, except Bridges alias Grately, owte of whome I can gett nothing, as yett, but in tyme I may, the Rather for that he offereth me ofte his company: and as for Doctor Allen I have not sene him yett nether do I think that I ever shall, for that he is gone to the Spawe in great extremyte by reason of the stopping of his urine, wch hathe continued already vii dayes withoute yssue, so that as yett we here no certeyntye of his lyfe or deathe, &c. [*MS. faded*]. . .

It appereth to be most true that Charles Pagett did come into England to the late Erle of Northumberland and others to move a rebellion; & to give them Notyce of an invasion which was then intended by the kynge of Spayne, the Pope & the Duke of Guyse thoughe he were specially sent unto by letters from the Quene of Scotts not to procede as then, for that the tyme did not fitte for the Purpose & also he was sent unto by the Erle of Northumberland in lyke sorte to stay his journey as then & Roebottom his man was the messenger. The said conspiracy was laboured with the Prynces by doctor Allen & persons. Butt mr

* *A Discouverie of the Treasons practised by Francis Throckmorton, condemned* 21 *May last past*, London (Barker), 1584.

† *A true report of the Declaration of the Earl of Northumberland's Treasons, delivered by the Lord Chancellor in the Star Chamber, touching his most wicked murder committed upon himself* 20 *June*, 1585. London (Barker), 1585.

Charles Paget's book does not seem to have ever seen the light, nor any Government book against William Shelley.

Padgett hath bynn blamed [by] thoase of this new conspiracie that he dealte not in the matter as he was dyrected, but Rather that he did discover the same to the lords of the Counsell in England, and by that means he hathe overthrowen ij great persons, so that they accompte him directly a spie, the Rather for that he hath often protested that he did never deale with the Erle or Mr. Shelley on any matter of Invasion notwithstanding that he went into England for the purpose. This brought him deeper in suspicion than before, and the great sute wch he maketh for the release of Thomas Morgan (who of all the Papists here is generally accompted a Spie). So that by all means possible they exclude him from their practizes, and they dayle labour to discredit him, with the Duke of Guise, the Pope and king of Spayne. . . . So with my bounden dutie I end at Roane this xijth of August, desyring I may know the receipt of these letters, and also you honor's pleasure about lodging with ffytzharberd. . . .

Information IX, Paris, 25 August, 1585.

R.O., *Domestic Elizabeth, Addenda*, xxix, 42. MS. blurred in places. Fully calendared at p. 151.

[My friend with whom I had conference in England has arrived. Lord Morley (Edward Parker), has been solicited by his mother to come over. She seems to have intelligence that foreign princes intend invasion. He has promised to come when sent for and to bring £6000 in money and jewels. She has sent one Hanmer and Ithell a priest to fetch him. I send you verbatym copies of the letters of Grately [Bridges] to Henry Dunne. If Donne might find means to write to Grately through me, it may be his or my Lady's* letters might declare secret matter. I am still persuaded that Donne was privy to all these proceedings.]

Information X, Paris, after 25 September, 1585.

British Museum *Harleian MSS.*, 286, f. 64, signed with the paraph §§§.

He has written letters dated 3 August, 11 and 25 September, and also others, written in a different hand. He enclosed the effect of Dr. Lewis's late letters from Rome, dated 12 August. Roger Yardley, *alias* Bruerton, formerly prisoner in the Clink, is to take over Persons' book of invective† to England. Persons himself is to go to Rome. No date.

Information XI, Paris, 30 September, 1585.

R.O., *Domestic Elizabeth, Addenda*, xxix, 45. Fully calendared, p. 153.

[Thomas Throgmorton is still here awaiting Mauvissiere, the old French Lieger [ambassador] in England, who is expected to bring over money, and an answer about correspondence through the new French Ambassador. The Irish who passed Scotland, have arrived here, and have begged of the convocation of Bishops. They cast away their

* My Lady. It is probable that the Countess of Arundel is here indicated or possibly the Lady Margaret Sackville. *See* Information xviii. Berden seems to be laying a trap to entice the Countess to correspond with Morgan, and the other venturesome exiles in Paris. Morgan on his side was working to make her correspond with Mary Stuart.

† Father Persons' latest volume was the second edition of his admirable *Christian Directory*, the Introduction to which is dated (p. 23) 29 July, 1585, at St. Omers in Artoys.

letters, when they were pursued at sea. They go to Rome next Spring, presumably to ask for alms.]

Here is great looking into Aldred his doings & they are very diligent upon him, and they intend to do him mischeffe except he looke warely to his business. iiij or v days past the Pope's Nountio Received letters from the pope with certein Articles against Charles Arundell tending that he is a Spie for England & mainteyned from thence, the suspicions for that he haunteth much the English Ambassador here. Upon the coming of these articles the Nuncio sent for all the gentlemen here, & sware them to Answere & so examined Charles Arundell himself. The Nuncio is now well satisfied of him, & so [hath conceaved] hym to be an honest man, & the more to give him credytt [gave] him his own nagge and footeclothe with one of his servants to attend him to his lodginge. This is supposed to be done at Rome by Charles padget. The Pope is the more desyrous to be persuaded of Charles Arundell in that he hathe bynne Commended to hym by the Duke of Guyse for a mete man to have the Conducte of an Army to invade his oune native country, and the sayd Arundell, did [? present] to the pope certen plotts & groundes how the country myghte be Invaded. Charles Arundell goeth upon Fryday next to the Campe of the Duke of Guyse. To conclude the general hope [of the] Papists here is to be in England before this winter or before Shrovetide.* Finis.

Information XII, Paris, 18 October, 1585.

R.O., *Domestic Elizabeth, Addenda*, xxix, n. 47.

The Irishe byshoppe, having begged here above l crownes is gone toward Rome the last weke to procuer Releffe with ij of his company whereof one is made priest by the byshoppe of Rose. . . . Thomas Throgmorton departed ij dayes paste towards Genowa to mete the lord padgett, & so to Spayne. . . . Mounsieur Malvesiers Robbinge uppon the Seas hath undon many papists here, of whose money he lost above 3000 crownes at the least, wherof 50 poundes was Thomas Throgmortons.

The Jesuyts have certifyed lately that they do procede according to there wishe in Scotland . . . & by theire directions they have Reconsiled above x thousand of late, & that daylie they expect numbers, & also to gayne the kynge to there profession, which is the marke they shute at, & cause of their going thether, the taking of which king is also expected of the duke of Guyse.

Yt is not likely that the prynce of Parma will use the Earle of Westmorland well in any matter, butt Rather Lyggens.† . . . The most certen hope they have is from Spayne both of men, monye & shippes, as is promised by the helpe of the Pope, whoe hitherto yeldeth no comfort of pentions particular to any, but hope (in secret) of comon Ayde as the last letters from Rome made mention. . . . The Prince of

* There is no doubt that Charles Paget was throughout his residence abroad a source of trouble to his fellow sufferers; and that towards the end of Elizabeth's reign he acted in bad faith. We shall hear several suggestions from Berden that he was even now a double dealer. For Berden's other malevolent insinuations see *above*, p. 69.

† Ralph Lygon, of the family of the Earls of Beauchamp. *C.R.S.*, xiii, 125.

Parma hath taken away the Erle of Westmorlands charge of men that he had in Flanders, wheruppon the Erle hath forsaken his pension & is at defyance with the kynge & the prince.

Here is yet no Intelligence to be had with the Quene of Scotts, but dayle hoped for. I cannot yet fully discover the means, by reason I have no skill to discypher there letters, but by the next I will send the copies of some letters in Scypher that somewhat touche the matter. We expect shortly [? to he]re of Allen and Persons from Rome. [This day of St. Luke.]

Information XIII, Paris, 6 December, 1585.

R.O., *Domestic Elizabeth, Addenda*, xxix, n. 52. The style of this letter is different from the rest of this Paris group. It is not written in invisible ink, nor is it signed. Possibly it may have been subscribed with a flourish, but, if so, this has now been pasted over by the binder. Phelippes has endorsed it "B. to Mr. Secretary." And Phelippes' "B" at present means Berden. Moreover the hand is unmistakably clear. The calendarer then is clearly wrong in conjecturing that the writer was Thomas Barnes. The letter is entirely devoted to suspicions against Charles Arundell, and the writer ends, "I do fynde in Charles Arundells Tabells a specyall note—to wryte to the Earle of X, but what yerle of X is I cannot yet perceave."

Information XIV, Paris, 16 December, 1585.

R.O., *Domestic Elizabeth, Addenda*, xxix, n. 55. The letter in piano is lost. The very important fact, announced in this letter, about King James being captured by the Protestants, leads to much open speaking (*above* p. 78).

[The quarrel of Paget and Charles Arundel, and Arundel's proposed buccaneering expedition "as I take it."]

The change in Scotland hathe made manye here verry melancholy, & hetherto they have no newes butt by generall Reporte from England, that the lords which weare Banyshed have the kynge in there coustodye, which yf yt prove true (as Bernardine* toulde them) his Master wilbe Twyce advised before he invade England, for that as he sayd, he was suer his Master woold not Adventure to invade withoute he weare suer of a good partie either in England or Scotland or boathe. Which words of his have ympressed so depely in the myndes of these melancholy men that I feare they wilbe mad: and they that lately hoped to be kyngs are now allmoste persured [*sic for* persuaded *and* assured] to die beggars. And farder Bernardine towlde them that he was verry perswaded the kynge wolde ymploye his whole forces for the lowe countries before he begynn with England; yett yt mighte be, he sayd; that his master woolde passe bysome parte of Englande to burne & spoyle as Syr Francis drake did in Spayne, of purpose to procure the Quenes Matie of England to ymploye her force to defend her owne frontyers, & he said he liked well of this devise of Arundeles to that end though he could not be contributarie to any soche expences for the wante of commyssion.

There is great expectation of letters from the Jesuyts in Scotland,† & they yeeld not good Reason of their doings they will lose there credytt with all our Papists here, for they upon the Jesuyts promyse in there

* Bernardino de Mendoza, now Spanish ambassador at Paris.

† See W. Forbes Leith, S. J. *Narratives of Scottish Catholics*, pp. 196, 207, &c.

laste letters of the 28 of November, did expect that ther kynge shoulde have bynne in there Saffe custodie with Huntley & Maxfelde. Yet they here are nott altogether in despayer, because they hope lord hambleton will prove for there partie & so moche his brother lord Claudiuus Hambleton hathe assured them, the Rather yf lord Maxfeld & his brother contynew frends. And they have allso some hope that the lord Marr wilbe allso made a partie for them in short tyme, yf any of the Jesuyts especially Haijus may come unto hym.

From doctor Allen at Rome we here that he hathe spoken once with the Pope, & that he hathe lycense to come to hym at his pleasure, & that he fyndeth the Pope a clement Prynce, & verry well affected to our Countrye in Generall, but in particular he feareth they shall not longe have ij Seminaries by reason the Pope alleageth great povertie, & for that vyatticums are costly. He feareth the semenarie at Rome wilbe dissolved, & the Rather for that they have not lived there in so quyett sorte as they myghte have donne. Butt yet he hoped to fynd the Pope in a better vayne.

Wylliam Tresham at his departure from this Towne had opposed hym self directly with Padgett and Throgmorton agaynst the procedings of persons, for he did not lyke that gentlemen shoolde by dyrected by Prests, but a Rhemys doctor web did so handell hym that he hathe recanted his oppynion to Rome to persons in wrytinge.

[Berden concludes with various reasons in favour of his own return to England, calendared fully, pp. 159, 160. As to Charles Arundell's proposed buccaneering expedition, " I do not stand so confident now."]

" They are all here certefied that, in the letters wch weare intercepted, that caused me to come over,* was no matter of ymportance ; so that he [Pagett] maketh no doute but my father & the rest of my frends being protestants can easely gett me home, the matters against me being no more then they are."

Information XV, Paris, 28 December, 1585.

R.O., *Domestic Elizabeth, Addenda*, xxix, n. 62. See *Calendar*, p. 162. Written in invisible ink, now turned brown.

Maye yt please yor honnor to be advertized that the last letters from Rome do certefye that the newe excommunication Againste England is graunted,† and that it shall shortly be sent into England, to be fixed upon the courte gate, & uppon powles, but whoe shalbe the doer of yt I cannot learne as yett. Some are of the oppynion, that yt is gonne in allreddy aboute v weks paste, & that either Gilbert Gyfford, or some of the prests y^{t} went in aboute the same tyme did carrye yt, but I thinke yt not possible to be so, for that doctor Allen was then but newe arryved at Rome, & had not then had eny Audience, but I knowe that Thomas Fytzhauberd did make Gyfford acquaynted with the frenche convey for letters, and y^{t} he had allso conference wth Gratley,

* Knowing what we do of Berden's previous correspondence with Walsingham, we can see that this phrase is a convention between them, to conceal the treachery spoken of in Information viii.

† These perennial rumours about excommunications are all without foundation. Gilbert Gifford was the "double treble traitor," the *agent provocateur* of the Babington Plot, whose duplicity, however, Berden does not suspect.

to conferr with Henry Donne, but to what end I knowe nott. Neither was I pryve to his goinge into England untill he was gon. At soche tyme as Doctor Gyfford was here ii monethes paste & more, Gratley went with hym to Rehmys, and broughte Gilbert wth hym, and so gave hym his dyrections for England. He is no prest, but lately made deakon.

Here is newes of his apprehencion at the coaste whereof here is great sorrowe, and they are the willinger that I shoulde venter home by reason of his apprehencion. The trewe reasons I knowe not, but I suppose I shall &c.

Information XVI, Paris, 12 January, 1586.

R.O. *Domestic Elizabeth, Addenda*, xxix, n. 85.

Right honourable [The quarrels of Arundell . . . Pagett &c.] The lord Claude Hambleton goeth into Scotland shortly, we say the kinge hathe written to hym very favourably with earnest desyer of his Returne to thende to be better able to Revenge hymselfe of the erle of Anguishe, & lord Marr whome he hath protested in his sayd letter to Ruinate. Here is great practizing with him to make a new faction at his Returne yf he can. They have made hym a perfect papiste Allreddy, And I perceave he is verry malliciously affected towards the Erle of Anguyshe.

Dureus the Jesuyte hathe wrytten hether from Scotland from the Abbey of Sweete Harte* where he maketh his Aboade, that he is persuaded the kynge is now in more saffetie then before, and that they have better means to send unto hym, and furder that the Erle Anguishe and his companye are nott lyke to enioye there aboade in Scotland any long tyme, for that he is assured the lords Huntley, Hambleton, Maxfeld, Lenox, & others will worke their destruction before it be long.

[A rumoured league of Spain, France, the Pope, Savoy and the Venetians for the invasion of England &c.]

Dr. Allen hathe myssed his expected preferment of his Cardinallshippe, And he hathe bynne Answered directly that there shalbe no pensions graunted neither in generall nor in particular, And the 3000 crownes by the yere that Pope Gregorie gave the English Semenarie at Rome is taken awaye, so that nowe this coulde whether will make of the preists to eate a Nother, & manye are nowe preparinge to go into England.

Thomas Morgan & Padgett have appoynted Jonas Meredith the late banyshed preiste to go up to Rome to Salve there credytt, which is ympayred by Arundell and his partie. His charges is borne by them, but oute of the Scots Queenes purse. Arundell hathe sent Articles to Rome before againste Meredithe to have hym into the Inquysition, yf yt may be.

There is great joy made that Gilbert Gifford did escape your honours hands so easily, and he hath certified hither that England is in great fear to be invaded. Edmunds the Jesuyte in his letter of the firste of December from london hathe certified that they hope to have more calmer dayes in England shortly, but he setteth not downe his reason: neither can I learne what convey he hath for his letters. . . . I reste . . . 12 Januarye An° 1585.

Here is one Kempe a priest with iiij others come from Rhemys goinge

* Sweet Heart Abbey, generally called New Abbey, Kirkcudbright.

towards England, who say that Dr. Allen hath written to Bayle to dismiss the greatest part of the Seminarye & send them to England, by reason of the Pope's hard dealinge, & also for that the house is indebted 2500 crownes.

INFORMATION XVII, London, no date, early in May, 1586.

R.O., *Domestic Elizabeth*, clxxxvii, n. 81.

We have already seen that Berden had by the end of 1585, more or less exhausted the advantage won at Paris by his initial treachery; and was working for his return. Aldred mentions him in a letter of 24 April, 1586, as being then in Paris. This must have been nearly the end of his stay there, for by the middle of May (Information xviii) he had settled down in London. The following letter must therefore have been between these two dates.

As for the character of the letter, it is chiefly to be explained by Walsingham not having *ordered* him to return. At the conclusion of Information xiv we see Berden angling for such an order; the order did not come, and Berden has arrived without it. It is necessary now to reawaken Walsingham's interest, and to set forth the value of correspondence passing (or which was likely to pass) through his (Berden's) hands, otherwise he may not be employed again. This explains the grandiose scale of the communication, written broadside on three whole sheets of folio paper.

We have already heard of the exaggerated impression which this made on Mr. Lemon (p. 68 *above*). But Walsingham was not so enthusiastic. We learn from Information xxiii that he would neither write to the man, nor give him an interview. The Secretary of State was evidently not going to supply such a creature with news, on which to trade at will. But Phelippes the decipherer was more sympathetic. The letter was given to him; and his endorsement, "The employment *put upon him* by those beyond the sea," is quite characteristic of his perverted mind. Berden's elaborate preparations to betray his victims, if possible unto death (as he had done before), are considered as attempts by his victims to coerce Berden into treachery!

Phelippes, as we saw, Information xv, had already got hold of Gilbert Gifford to act as *agent provocateur* for the Babington plot. But more agents were required, and Berden's familiarity with Catholics made him valuable as a possible co-operator. The answer to this letter was in effect to turn over his services to Phelippes, who employed him rather in the rôle of a detective, than as an intelligencer.

Righte Honourable—Maye yt please your Honor to be Advertised the names of the parties that procured me to come home, with there reasons, whie I came by the Lord Ambassadors letters, the reasons whie I accepted these affayres, and what the letters are that are within my port mantua, & are directed to your Honor.

Firste I have bynne thoughte mete to be ymployed by Charles Padgett, Charles Arundell, Stephen Brynkeley from Allen & Persons, Godfrey ffoulgiam & Thomas Fytzharberd to be there correspondent here for the receavinge and delivery of soche letters as they shall send unto me, and to give them Intelligence from England.

[He then expands with many repetitions the reasons why he accepted these commissions, and the good results likely to follow for his honour's advantage.]

The reasons that moved me to accept of the premysses are for that I was Allwayes perswaded by Si^or^ Palavicino to get the credytt of all the foresayd Affayres into my handes the better to serve your Honour

with there hole practizes and Intencions for the gayninge whereof I have used all diligence and Industrye, by which means I hope your honour shalbe served to your full content. . . .

May it therfore please your Honour [to grant me protection against Mr. Justice Young, without which it will be impossible for me to work. I was before like to have been discovered by his apprehending me, though he after set me free. This was once objected to me by Stokes a priest, whom I forced to ask me forgiveness for a secret slaunder.] "I shall always be mor reddy to manifeste myselfe a publique persecutor, then a private practyser with any Trator or there Confederates."*

Endorsed by Phelippes.—From Berden to the Secretary Walsingham. The accompt of his employment, put upon him by them beyond the sea.

INFORMATION XVIII, addressed to Phelippes, London, 15 May, 1586.

R.O., *Domestic Elizabeth*, clxxxix, n. 22, f. 56. This letter gives the choice of Berden's discoveries made abroad. It is in fact the last of his informations which we have. The trefoil marks in the margin are also interesting. They were added by Walsingham or Burghley, and indicate the passages as "important." Later on we shall find Burghley going back upon the information, which is here brought up against the Earl, and we shall have to ask ourselves, is it reliable ? is it relevant ?

Syr in perusinge my notes I do fynde by a conference, which I had with William Hartely† one of the first banished traytors at his retorne into England abowte whitsontyde laste, that the Duke of Guyse, at the beginninge of his late rebellion in ffraunce, brought his wief, children & treasor to Remys as the place that he most affected by reason of the Englishe Companye there, and that at the same tyme he layeng his ✠ handes uppon the shoulders of Allen sayd in the hearinge of many, that he doubted not but in shorte tyme with the healpe of other prynces that weare ioyned with hym, to carry the sayd Allen & his companye into England, and there to establishe the Romayne Religion & bad them be of good comfort & praye for his happie successe. And the sayd Hartely allso tould me that the Duke of Guyse used Allen as his Cheffest counsellor for matters against England.

✠ At my beinge over, I did finde by diverse conferences that the cheffest cause of Allen's laste goinge to Rome was to solicite the Pope to use liberalitie for the invasion of England, assuring him that the Duke of Guyse was as willinge as ever, & nothing discoraged by the late discovery of ffrauncis Throgmorton practices, and that the kynge of Spayne rested resolute to persevere, yf the Pope woulde use liberalitie. and that the Prynce of Parma was allso most willinge to furder the interprise, & so much was assured the Pope by Persons the Jesuyte, whoe laye secretly in the Prynces campe at the seige of Andwarpe & allso in the Towne when yt was rendred, to Solicite & stir up the Prynce for the Invasion, whose furderaunce beinge promised bothe by hym self, and his master, persons went presently to Spa where Allen

* Mr. Lemon, the Calendarer, has appended this extravagant note, "There can be little doubt that this important communication was the basis of the secret intelligence, which enabled Walsingham to counteract the designs of Spain; resulting in the destruction of the Spanish Armada."

† William Hartley, the Martyr, see *Information iii*, note.

did attend his comynge, betwene whome & the Duke of Guyse passed many posts duringe his aboade at Spa, both in his Sycknes and after his recovery, but Persons* beinge arrived they bothe with Tempest (as I remember) went to Rome, where they are yet for ought I knowe.

Since whose arryvall there, yt is manyfest that the Pope hathe made a great masse of mony by the Sale of 21000 Δ the yere of Church lands. The fellinge of diverse woods & the takinge awaye of pentions & Annuites to do good in the generall cause for the Supressinge of the Protestants: and it is thought that the Pope did nott withoute the consent of Allen & Persons take awaye all pensions for the Englishe men, 3000 Δ the yere from the English Semenarie at Rome & 3000 Δ that Pope Gregory gave to the Semenarie at Rhemys to paye there detts: and by this means to drive all men to shyfte for themselves for a tyme, that the generall cause might be preferred with more speed. Yet notwithstandinge this Pope doth still allow them so moche by the yere as was granted by his predecessor at the first erection of the Semenaries: but look into the fruts of there travell to Rome, & yt apperethr by ffitz harberd letter of the xvith of Marche laste that the Pope hathe made greate offers to the kynge of ffraunce for to drawe him on to be a partie in the invasion of England.

For the Erle of Arundell I do understand by conference abrode that only doctor Allen had intelligence with hym by letters aboute his practizes: & that Roger Yardley had some message to hym from Allen, & to confirme that, Tremayne had great care for the conveyinge awaye of Yardley, assuringe himselfe that yf Roger coulde escape, that the Erle woulde answer all matters well enoughe & so moche he uttered in words. And great care also made for the conveyinge awaye of Brydges *alias* Gratley by the Lady Margaret at New Castell by the healpe of one Boste† a priest whoe signified his departure to the lady Marg[ar]ett with spede by Speciall messenger: the words of the letters were, that there ffriend had taken coche at Newcastell & was gone to visite his frends, which letter she sent to henry donne, but there are 3 very suspicious lres directed by false names, sent from Grately one to the lady of Arundell, one to the lady Margaret & the third to Henry Donne, which I sent to his honour; in which letters as I remember Grately‡ maketh mention of some one named Richards or Roberts had dealte with some great man for the relef of I knowe not whome mentioned in the same letter. And that some other person also mentioned should be warned to be secret, & to remove certen evidences that were hydden, with moche like suspicious matter conteyned in the sayd letters that I now remember not; but I doute nott but his ho: hath the lres in his custody.

* It would seem that this assumption of intimate acquaintance with all Father Persons' movements is everywhere untrustworthy. We have various letters from that Father before his departure for Rome. He was chiefly at St. Omers, where he was reprinting *The Christian Directory*, He was also at Louvain, Trier, and was back at Rheims on his way to Rome on the 9th of August, and stayed there till September, whence he began his journey about the 20th. This reliable itinerary shows that Berden is here, as usual, unworthy of confidence.

† John Boste, Martyr. His biography by J. B. Wainewright in *Cath. Truth Society*.

‡ Grately. Our omniscient spy does not know that he was by this time a correspondent of Walsingham.

✠ What sorrowe & grief the Papists had generally for his apprehension, yt appereth by certen speches uttered by one *Oliver Warneford* gentillman of hampshire, whoe brake pryson out of Wynchester, *viz* that they (*sic*) would relese the yerle & others then in the Tower, or ells they woulde shed moch warme blod for yt, and that yt was so intended, & promysinge by his speches that some practize shoulde be wrought againste the Tower ytselfe for the purpose. This is the some of my Intelligence that I now remember, concerning his ho : plesure in your letter, whereof I praye you Advertize him, and so fare ye well this xvth of Maye 1586.

[*On a slip, but where this should be inserted is not clear*]. That in consideration of 6000 Δ & of his promyse he did shewe all his lres to the Duke of Guyse, that Syr ffrauncis Wa[lsingham] & Mr. Wee[?ks] : did laugh at the Frenche Amba : for that he soughte to conveye letters to the Scotts Que : considering the warines of Syr Amyas Pa[ulet] : Nevertheless the Ambar : had promysed a convey to the Que : by the Trea :* and that Charles Arr[undel] was charged as a Spie for goinge to Amba† : but the cause beinge examynd, yt turned moche to his credyt.]

That order was taken that he should have the Pa : intelligence, & the first frutes to Certefie & send home the more to preserve his credyt.

Endorsed.—From B. Severall Adverts.

XIX. Berden to Phelippes.

No date, probably July, 1586.

R.O., *Domestic Elizabeth*. clxvii, No. 3. Calendared by error as 1 January, 1584. From here the letters begin to lose the character of Informations.

Worshipfull Syr.—Your letter dated this Thursday morninge I received. . . . Do not I pray misconstruct any matter written by me heretofore. . . . If I be curious, and unwilling to have a warrant or protection, the reason is that I fear to be deemed disloyal : my nature is timorous. I pray excuse me. . . . I shall be ready for exploits, to honour my country and to my own credit. Though I am a spie (which is a profession odious though necessary) I prosecute the same not for gayne, but for the safety of my native country, I will reject the same whensoever you shall think it meet, in such sort as I shall make all the papists in England to blush. . . . It grieves me much to have to draw on his Honour's treasure, and if he would yield to some suits now and then at my request, I might be served out of the store of those traytors. . . . I crave therefore a letter or a conference with his Honour to revive my spirits. For my faults in writing I desire pardon, and this I promise, that rather than another year I will be thus cravinge, I will sell something to make money, though I lose half the value. . . . I desire to follow your worship's directions, and to receive money from your self or Mr. Milles, also directions to give to Brinkley, how he is to direct to him and by what name,

* The Treasurer, Lord Burghley, being a more moderate man than Walsingham, it was usual for extremists, both Catholic and Protestant to use words such as the above. In the Babington Plot Walsingham, by skilfully employing Catholic statements of this class, forced Burghley to take the chief part in Queen Mary's execution.

† The English Ambassador in France, Sir Edward Stafford.

how Dryland's suit is to be preferred, &c. Yf Dryland is banyshed otherwise than is sett downe in the petition, ther wilbe nothing given for the same, nether will the partie stand behoulding to me : and this tak of my word ; I will never hereafter move any thinge in favour of these vyllaneous Prests.

This Thursday night ; N.B.

XX. Berden to Phelippes.

Bedlam [11 June, 1586].

R.O., *Domestic Elizabeth*, cxcv., n. 75. Printed in Morris *Troubles*, ii, 161. The date is deduced from Phelippes's covering note, *ibid*, p. 162, "the 13th of June, 1586." The calendarer has mistakenly noted on the back that the Earl in the Tower is the Earl of Kildare. But the Earl of Arundel is certainly intended.

Sir, Upon Thursday last, being at the French Ambassadors (as I told you) there was the Lady Compton, in company with the Lady Strange, who had attending upon them Thomas Jarrat (Gerard) son and heir to Sir Thomas. There was also Francis Tresham son and heir to Sir Thomas Tresham . . . a visitation which was I suppose rather for letters than otherwise, the courier being arrived the night before. For the Lady Strange* I can say nothing : the rest all-to bad members, and meet to be looked unto. . . . For any convey to the Earl in the Tower, I can find none that he either hath or had as yet. Edmonds is not yet come. Upon Monday I would crave the help of your man.†

Sir, if it please you to procure me the liberty of Ralph Bickley, Seminary priest in the Gatehouse at his honor's hands it will be worth 20*l.* to me ; and the liberty also of Richard Sherwood *alias* Carlton, prisoner in the Counter in Wood Street, will be worth 30*l.* . . . The money will do me great pleasure being now in extreme need thereof ; neither do I know how to shift any longer without it. . . For Carlton I take to be a meet man to further any survice concerning the Earl that you will devise and his practices beyond the seas (if there be any) I hope will not be hid from me. . . . From Bedlam this Saturday night.

Yours to command
Nicholas Berden.

XXI. Berden's Lists of Prisoners to be disposed of.

July and December, 1586.

Walsingham twice or thrice used Berden in a manner highly characteristic of Tudor administration. He was asked to pass sentences (including the sentence of life or death) on each of some fifty priests who lay untried in prison. Nowadays any attempt to forestall or overrule the administration of justice, by the executive government calls forth the sternest condemnation. Every circumstance in this case is depraved and humiliating.

It was not that Berden's verdicts were all, or at once, carried out. Some were executed, some not. None of his death judgments were, that I can recognise, though others suffered in their places ; and in accordance with the

* The wife of Ferdinando (Stanley) styled Lord Strange, was Alice. dau. of Sir John Spencer of Althorpe.

† The inference is that "your man," probably Casey, should capture Edmunds, *i.e.*, Father Weston. But if so the plan failed that time ; though very shortly after, on August the 13th, Weston was captured through Berden.

usage of the Tudor tyranny, with the external preservation of some forms of law, a circumstance which (though from one point of view it increased the degradation) tended to the ultimate revival of liberty.

Still the facts remain (1) that this beggarly, and dishonest spy, whom his master would not even see or write to; (2) is employed to lay down the lines to be followed in the administration of justice, (3) and that without any training or knowledge of the cases beyond that picked up in the exercise of his infamous trade. (4) He is moreover not asked for evidence, but for sentences, *viz.*, "Hang him," "Banish," or "Wisbech," which meant "Keep in Prison" (5) This was done twice, possibly even thrice. (6) And his victims are men whom he has known, and towards whom he has shown that respect which Catholics are wont to show to priests: indeed he is presumed to have known them all, either in this or in some other way.

The lists of names with the comments, are already printed in our second volume, among the prison lists. It will here only be necessary to explain them, and we begin with the last list of about December, 1586; its methods and classification are simple and easy to follow. A list of prisoners is given by Walsingham to Phelippes; Phelippes sends a copy of the list to Berden, who affixes to each one of three sentences, "Hang," or "Banish," or "Wisbech," the latter sentence being equivalent to life-long imprisonment.

Six are marked to be hanged, ten for Wisbech, eighteen for banishment. But there were fourteen miscellaneous comments (*e.g.*, not known, dead, hanged already, &c.).

In the July lists the three verdicts were, "Meet for the gallows or the gallies," "for Wisbech," "for any place you like."

Mixed up with all this, are very irritating proofs of Berden's dishonesty. Being in want of money he took bribes, to procure liberty for some. For Bickley together with Sherwood *alias* Carlton,* he was to get £50, as we have seen p. 89. Sherwood actually got off, and Berden (alas) was afterwards able to play on his simplicity (*see* p. 91.).

Elsewhere Berden says he would "make a stale [*i.e.*, a lure] of Sherwood to catch others of his kind" (*C.R.S.*, ii 256), and so might "further any service against the Earl" which Phelippes might devise (Letter 20). Bickley was eventually sent to Wisbech. Morris thinks that Shelley's name may have been substituted for Bickley's in the grant of liberty; it is so substituted in a letter of Phelippes, which deals with that grant (*Troubles*, ii, 162), but William Shelley was still in the Tower in 1588.

In the December lists Berden intervenes in favour of John Lister, and about the same time for Christopher Dryland. But what the bribe was in these cases is not mentioned. He also desired to make friends with Father Weston, in case he were exiled; but this intended treachery remained without effect.

XXII. Berden to Walsingham.

London, 23 November, 1586.

R.O., *Domestic Elizabeth*, cxcv, n. 21, f. 40. Written in a feigned hand, in italic script, and signed with a flourish. Endorsed by Phelippes, "B. to Mr. Secretaire." Hardly any points, but some are here supplied for the reader's convenience.

Right Honorable.

for that i would not deale in any matter withe the practizers beyond the seas withoute your honors speciall allowance, the matters in themselves being passing dangerous and the practizers bothe trayterous

* It seems possible that some attempt was made to elude Walsingham's attention here, for the two names Sherwood and Bickley are added to Berden's list *subsequently*. However this may be, the evidence is so far too slight for any conclusion.

and exceedinge subtill: i have thought good to send your honor thes inclosed to examine and consider what is necessary for me to do therin. Especially for Brynckley, whoe i se will spare no coste to get intelligence. What his meninge is therby, I cannot coniecture, or what seruice maye be donne to her Matie and your honor by yeldinge to his motion excedeth my capacite. Only this I know that he is the only agent and correspondent that the societe of the iesuyts have in that part of Christendome, and ther treasorer, and hath Comission to bestowe the substance therof at his discreation, and more he is of parsons priue counsell, whoe is nowe secretarie to the general of the iesuyts for the lattin tongue. Yt was concluded betwene Brynckley and me at my retorne from Paris that i should be his correspondent here, but before this tyme he hath ministred me no matter, and now yt semeth he is willinge to make an introduction, his sylence i suppose proceded of some suspicion conceaved by hym by reason of the rumor wiche Aldred gaue of me uppon my retorne from france, wiche is nowe so throughly blotted oute by my owne endevor, and by healpe of Carlton,* as there remayneth nowe no iot or scruple in anymans conscience but that each man is fully perswaded and euery of them desirethe my seruice with large promise of reward and aduancement, wiche i so moche detest, as even at this instant when my credyth is greatest with them all, i wilbe hartely glad to pronounce my self ther persecutor (yf yt shall so please your honor). . . .

Our new Spanishe knyght, Charles Arrundell hath lately written to craue a course of intelligence . . . and . . . Charles Paget has also . . . excusing his long silence . . . and promising to confer . . . I expect your honors plesure therin. . . . Mr. Philipps hath sene the foresaid letters. . . .

I† humbly thank your honour for that yt pleased you to spare Xpfor Dryland's lyfe at the last sessions at my request. . . . I abhore the man in regard to his profession . . . but he is singularly well persuaded of me, supposing me the most apt man to serve the papistes turns. . . . He [Dryland] standeth scrupulous to be bounde directly to departe, for that they chuse rather deathe than voluntary banishment for that yt is scandalous amongst ther fellowes and Martin Are is generally condempned, for that he yelded thervnto.

Your honours humble seruant

[*Paraph of five double loops.*]

XXIII. Berden to Mylles.

[End of 1586.]

B.M., *Harleian MSS.*, cclxxxvi, f. 99. Same hand as the last.

Right Worship full.

Syr yesternight i deliuered the letters to Mr Phillips man, in his Mrs absence, as you willed me, and these are only to put you in mynd to show his honor the last long letter i wrote vnto hym, and to make

* Sherwood, *alias* Carlton, was mentioned in 1596 by Doctors Worthington and Pierce among the *Sacerdotes maturi et sinceri*, whose advise might be asked by the Nuntio in Flanders on English affairs. His "help" to Berden, if there was any, cannot therefore have been given treacherously, but perhaps out of simplicity, or confusedness, not seeing the harm done.

† From here onwards the letter is printed in full in Morris, *Troubles*, ii. 163.

demaundes vppon euery poynte, which would breede me no smale content. And last of all, which is not least of all, i beseeche your worshipp to be myndfull of my protection, or warrantie for my saffetie to be sett doune in as large woordes as maye be for that I am most ferfull of my securite, and for the last point of my long letter, which conserneth dryland, Mr. Phillips wilbe reddy to auouche as moche as i have written: and to furder the sute. So praenge pardon for my bouldnes i reste at your woorshipes comande, this thursday morning

Your Worships ever

N. B.

Yf you finde his honor at any gud leisure, i beseche your woorshippe to remember hym of the monye that is nowe to be payd.

Addressed.—To the right Woorshipfull mr. francis myles geve these.

XXIV. 1587–1588.

No letters are found for this year, but Berden signs a passport, now at R.O., under 28 February, 1587. Early in 1588, the erratic Charles Paget sent him two letters (31 January and 10 February, now *Dom. Eliz.*, ccviii, 39, 63) desiring to recommence correspondence. Berden's last letter, xxvi below, may refer to his answer to this.

XXV. Berden to Walsingham.

London, 14 March, 1587–8.

R.O., *Domestic Elizabeth*, ccix, n. 19. Autograph not signed, but endorsed by Phelippes "Berden to Mr. Secretary."

Having allwayes preferred the favor and service of your honor before my owne content, and of late understandinge yt to be your pleasure that I should forbere my service for some tyme, in respect of Throgmortons speche againste me at Parrys, I have resolved with your honors favor to enter a more publique course of lyffe. . . .

So yt is, the place of her Majesties Pourveyor of Poultrye is shortlie like to become voyd, &c., &c., [desires a nomination from Walsingham to the lord Steward]. My self have served in the sayd office by the space of iij yeres in my father's lyffe tyme, and there fore sufficiently experimented to serve the same. 14 Marche A°. 1587.

Your honors ever bounden.

[No Signature].

XXVI. Berden to Walsingham.

London, 24 April, 1588.

R.O. *Domestic Elizabeth*, ccix, n. 107. Autograph, see xxiv.

Right honorable. Thanks for "this post I now enioy."

"By this bearer Mr. Casey I send you letters from the trayters beyonde the seas, which being perused by your honor, I would gladly with your favor and lycense answer them particulerly in another vayne then ever I yett wrote vnto them, wherein I would putt them all ovte of dovte what my affection bothe hathe bynne as is towards them.

These are furder under yo[r] honors correction to comend vnto you the Sute of a pore man (butt recusante) named Ric Garnett* kynsman to Bootes, whome yt hathe pleased your honour heretofore to favour

* For Richard Garnet see *C.R.S.*, i, 16. One of his children was the future martyr Thomas, afterwards S.J. see *C.R.S.*, v. 259.

by the mediacion of M^r^. Phillippes for the releffe of him, his wyef & poore children, by releasing hym from Horsham Goale, uppon great bond and good suerties, and nowe lately caled in question agayne by inferyor officers to make his appearance before the highe commissioners withoute warrants from your honor or the rest of the ll.

So craving pardon for my presumption I end. London this xxiiijth of Aprill, A^no^ 1588.

Your honors ever bound

Nicholas Berden.

XXI.

JAMES HILL TO SIR FRANCIS WALSINGHAM.

s.d. [August, 1584].

B.M. *Harleian MSS.*, cclxxxvi, f. 52. Autograph. The earl in his answer of 24 December, 1583, said that Hill was a gentleman of the west country, and that he had come to Sussex in company with Charles Arundel in the summer of 1582; the earl had also seen him about October, 1583. Hearing that Hill was "a noted man and not sound in religion," the Earl has willed him, to forbeare his company (*above*, *p.* 47). In the following August this letter of Hill's was written in answer to certain "commands" of Privy Council to "recall persons and places of resort." But these injunctions are not forthcoming with the result that Hill's choice of subjects is not always quite clear. Still the letter tells us much about a Catholic gentleman of the time, and one who occasionally followed the Earl. Lord Hunsdon had desired Hill "to set down matters of my Lord of Arundel." But this behest Hill has not executed; and he seems to say that the commands of Privy Council did not exactly square with it. So he concludes with a strong, though somewhat indefinite, negative as to the Earl's propensity for dangerous company.

Looking for a moment to the *character* of the writer, as revealed in his letter, we find that, like many Elizabethans, he did not know when to stop grovelling before the Queen's ministers. Though his dealings concerned religion only, "free from all treacherous confederacies," he realises that he must now "detect such as received me into their company," and that they are by consequence now "likely to incur some troubles," and he begs that this dishonourable openness may be kept secret. "But all this notwithstanding, I accomplish . . . your commands. I will never know aught, but will be most ready to impart the same."

Hill does not specify which of his acquaintances were priests; but we can identify many, and it seems likely that there may be more.

The specyall desyer which I have to continewe in the favourable good lykinge of your honours conceite: imboldeneth me to unfold and to discover my hole knowledge concerninge thoese causes, that have been suggested against me, unto the Lords of her Majestie's most honourable Privie Council. And herein I am most humblie to beseech you that my doyngs be reserved with Silence, and that it be not publyshed unto the world that I have given intelligence thereof. For seing that it concernith only exercyse of relligion, free from all treacherous confederacies, that might preiudice the quiet state of my dear soveraigne's government over this my native countrie, and other her Maties Dominions. And that in manifestinge the places, I must consequentlie detect such as, in respect theyr good opinions towards me, have accepted me into their companyes, wherby they are liklye to incur som troubles, except your honor shall favourably consider of

theim, etc., &c. But all this notwithstandinge I have for the accomplishment of your command indevoured (by recountinge the Course of the lyfe past) to recall to memorie such persons, with the places of ther resorte, as was inioyned me by your honor and the rest of my lords of her ma^ties^ honourable privie counsell: For your gracious and mild usage of me hath Bownde me yours, so fyrmlye as I will never know aught, but will be most reddye to imparte the same to you; and would accompt myself verie happie, if I might by anie meanes doe som honest servyce, thereby to express the readynes of my humble and thankful mynde, which shall rest for ever at your honors devotion.

The fyrst place therfore that I resorted into was in Chauncerie lane, at the chamber of a lancashyre youth called norryce, thither resorted manye utterly unknowen to me; but in speciall ther lay sometimes one Wattes, that Serued the Touer: to this place repaired one Mr. Fitzherbert,* who afterwards hadd this Wattes commorant with him. This youth often invited me to repaire to his lodgynge, which he commonlie changed in short time. And of late within this twelve moneth, he laye in Bridewell at the howse of one of the knight marshalls menn (whoase name I knowe nott) wher he commonlie had repaire of divers (as I have heard by report, for myself never was there) ther was one Barber† that at his aboad in Brydwell did accompanie him. Afterwards I happned into the Companie of one Nicholson: by whom I was conducted to a house in Smithfeild, wher as ther lodged certen yonge weemen, that latlie arrived from out of Brabant, reported to be Noonnes‡ to this place was a great repair; But the Companie that accostomed to frequent this place weaer straungers & utterlie unknowen to me. Saving that I was here acquainted with one Collier an old mann, and with one Corrie§ that was but yonge in yeares. Farder I was acquainted & mad resorte to Taylor his house in fetter lane; whear as lodged manie youth: by meanes whereof this house was haunted: hether came a countrie mann of mine named norryce (now in the Marshalsey) and one Sutton and Polydor Morgan: theese three resorted to this howse. These wear places of resort, about 3 years past: then did I discontinue london, by reason of my fathers last sycknis: and at my retorne back about ij years past, this acquaintance was vanished.

Since upon my coming and retourne to london; lodginge at the sygne of the white harte in holbourne, I ther grew acquainted with one hugh yates, sometimes servant to the Lord Vaux his sonne.‖ this hath had on Aufeild¶ repairing to him, with whom I was acquainted: whoe

* Presumably Thomas Fitzherbert of Swynnerton. *See* Foley *Records S.J.*, ii, 198 to 230; *D.N.B.*, &c.

† Barber, might be the *alias* of Strancham the martyr priest, *see above*, p. 77.

‡ These were the Bridgettine nuns of Sion, now of Chudleigh, Devon, the only religious community in England which still survives, after all the trials and wanderings of the reformation period. In 1579 they had been ejected from Malines, and some had come back to beg in England, while the community, after many wanderings, set up a new convent at Rouen. For their interesting but intricate history *see* P. Guilday, *English Catholic Refugees on the Continent*, 1914, i, 58.

§ Corrie, *See* H. Foley *Records S.J.*, vii, 189, under John Curry.

‖ "The Lord Vaux his son," was Henry, mentioned by Berden, p. 76.

¶ Aufield. The future martyr priest, Thomas Alfield.

hadd his stuffe for the pourpoose, commonlie carried with him in a box: he lodged ordinarilye in ynnes, but would not be knowen of the place: his custome was to repaire (as he found himself requested) to youth lodging lykewise heer in this Inne, by meanes of this youth I knewe one Ballard,* sometimes called fortescue: he had his aboad cheyflye in hampshire, and at the house of an old ladye called the ladie West: ther repaired to this youth another named Stamp: but I never knew his [? common] aboad. Lastlye for myself I frequented noe other place, but only at Clerkenwall, at the hovse of M^r. Walk^r: wheras ther cam one by the name of framton: at this place I never sawe anie gret resort, the most Companie was of weemen; such as in truth I knewe not.

This much of my owne knowledge, and mor at this present, I cannot call to minde: of other places, by report I have heard; which I will imparte to your honor when as it shalbe your pleasure to understand itt.

Concerninge the matters (which my lord of Hunsdon would have to be sett downe) of my lord of Arundell, ffor that they import not anie matter concerninge the premiss, I have omitted. Protesting by the living god that I never could perceve, by anie of his lordship's Demeanours, that he ever affected anye such matter: but did generally & most zealouslie invaye against those kind of persons.

ffor that hereafter I doe verilye determine, to breke Socyetye with theese and the like persons; and to conforme my self to a neewe kind of lyfe, I doe therfoar nowe (as formerlie) humblie beseech your honor to proceed in your favourable course of dealinge towards me; which I will indevour to deserve heerafter this by gevinge your honor to knowe all sutch intellygence as shall concern sutch and the like course of dealinge. In the meane tyme I commend your honor to the Allmightie; whom I beseech to send you a most happie lyfe heer and an everlasting Blessed to come: heerwith humblie taking my leve

Your honors allwaies most assuredly
to commaunde
James Hyll.

Addressed.—To the Right honorable Sr Francis Walsingham Principall Secretarie to her Matie, geve these.

Endorsed.—August, 1584, from J. H.

XXII.

FATHER WESTON'S RECOLLECTIONS OF THE EARL'S CONVERSION AND OF ITS CONSEQUENCES.

Extract from *P. Gul. Weston, S.J., Vita a se Scripta.* Stonyhurst MS. A. IV. 5.

An early Roman transcript on large quarto pages, somewhat damaged, of the autobiography written by Fr. Weston about 1614. An English translation of this Life is printed by Fr. Morris in *Troubles ii*; cf, *C.R.S.*, i, 72, and a brief summary will suffice to introduce the portion printed here.

* John Ballard, priest, the future conspirator. Up to this time, however, 1582, or 1583, he had not made the acquaintance of Morgan and his friends, who prevailed on him to join in their political aims about the end of 1584, and this developed into conspiracy early in 1586, p. 145.

(1) A servant of the Earl of Arundel brought me to him, and after long talk, in a day or two I reconciled him. (2) The sitting of Parliament was accompanied by heretical worship at which it was the Earl's duty to attend on the Queen. (3) He consulted me, telling me of the evasions he had practised, and that for safety's sake he had determined to fly to France. My objections were overborne when he said that Dr. Allen had written advising this course. (4) On board ship he was captured through some unknown traitor. After sentence was passed on him, he lived very holily many years in the Tower. I have not been able to verify the report that his death was due to poison. He left me his breviary. (5) He refused liberty offered him by the Queen on condition of his holding a disputation with the Archbishop of Canterbury.

That Fr. Weston was the priest who reconciled him is an undoubted fact. For the editorial mistake which refers this office to Fr. Jasper Heywood *see above*, p. 47, note. At the arraignment Fr. Brydges, *alias* Grately, *alias* Foxley, was credited with receiving the Earl, relying apparently on the statement to that effect made in an intercepted letter of Morgan to the Queen of Scots, 24 April, 1586, and repeated, 24 June. R.O., *Cal. Scot.* viij, p. 332, 462. These letters are printed in *Murdin*. Tyrrell in his second confession, 30 August, 1586, makes the same wrong ascription to Brydges, R.O., *Cal. Scot.* viij, p. 643. The *Life*, p. 27 definitely states that Fr. Weston received him; and in token of the Earl's gratitude quotes (p. 136) from a letter of Philip's to a Jesuit Father" : "I call God to witness I have, and do principally in my heart most affect, reverence, and honour your vocation above others, for that I have seen, heard, and read, as also in respect that from one of that calling I received the greatest good which ever I tasted."

(1) Hoc eodem tempore* in notitiam et familiaritatem incidi catholicissimi cuiusdam viri qui Comiti A. inserviebat,† et quoniam praeter singularem fidelitatem quam comiti exhibebat, sciret etiam cum prudentia et consilio res sibi commissas administrare, patefecit illi comes (praeter alia secreta quae eius fidei solebat committere) se velle mores et vitam commutare in melius et hæresum tædio desiderare fore Catholicum, utque sibi sacerdotem quæreret, quem aptissimum duceret, eius desiderio et studio qui satisfaceret. ille hæc omnia mihi communicavit, et locus, et tempus designatum est commodum ad hoc præstandum; satisfactum est negotio, sed nocte, et tenebris omnia, ne me ingredientem, aut egr[edientem] quisquam cerneret cum comite aut separato et secreto [? cum eo] diu conversantem, maxime cum præcesserat ex eius fa[milia] quorundam (qui eius mores curiosius tum observabant) q[uædam] suspicio, aliquid tale sua mente pertractasse. Postero vero [die] aut perendino demum accersitus selecto loco, coram eo unoq[ue] altero ex eius propinquissimis præsenti non amplius, sacra ce[lebravi] et tradidi.

* Fr. Weston left Rouen on 12 September, 1584, for embarcation at Dieppe; he reached London on the very day, 26 September, of the arrest of his companion Ralph Emerson. Among the episodes of the next few days he recalls this of the Earl's conversion. The indictment dates the reconciliation as 30 September, 1584, at the Charterhouse. Though this date may be as fictitious as some others in the same trial clearly are, it is not wildly wrong.

† This servant of the Earl has not been identified. Fr. Morris suggests either Mr. Richard Bayley who performed the same function for the Countess, but he seems as a consequence to have been now in exile (*see above*, pp. 46, 47), or Mr. John Momford (*see above*, p. 41).

(2) Jam antea indicta, et cœpta sunt mod[o co]mitia generalia fieri Londini, ut ego reor, ineunte anno 1585,* quib[us] (pro loci, et dignitatis eminentia quam tenebat comes in re[gno], tum etiam propter operam necessariam quam circa pers[onam] regiam exhibere oportebat) interesse necesse erat, utpote e [præ]cipuis regni proceribus, quæ res animum eius perplexum [vehe]menter tenebat, quod videret se non modo suspectum sed [magis] statim omnibus videri, et iudicari Catholicum, si prophanis [acatho]licorum cæremoniis, quae diebus singulis ante comitiorum principia celebrare consueverunt, interesse recusaret; multa agitabat mente consilia, omnes tentabat evadendi modos, si [ver]bum simularet, si aliud quid prætexeret, si lateret, si e medio se præriperet, nihil tamen solidi invenit, nihil non plenum magn[is] et præsentibus periculis: dies instat† [conv]enerant regni principes o[mnes] et omnia parantur, et comparantur quæ et ad pompam, et solem[nem] reginæ comitatum pertinere potuerunt, adest inter reliquos Come[s] A. suo erga reginam functurus munere, pavidus tamen de bono even[tu] consilii quod illius mente suppeditaverat deus, itur ad parlamentum, singuli suis ordinibus et muneribus intenti. Comiti incumbebat proximum fieri personæ regiæ eius vestem ex altero latere supportare. Ingressi vero in Commitiorum locum, propriis in sedibus, principe et proceribus constitutis, signo dato ad prophana sacra, e medio se extulit comes ne prophanis interesset, simulans a tanta turba populique frequentia se pene esse oppressum, et calore suffocatum, omniaque adeo ad speciem ita comparavit, ut ita esse appareat, ruborem vultui quoad potuit suscitans, vestemque diffibulans, extra et in aperto ambulans dum finirentur officia, istumque modum per aliquot dies sequutus est, verum dissimulari non potuit diu eius religio.

(3) Cumque hæc omnia mihi proprio ore narrasset, simulque exposuisset se in animo habere continuo fugam capessere, et in Galliam se recipere, ego sane omnibus modis contrarium suadebam, ‡ tum quia id foret omnia summo in discrimine constituere, se suaque omnia, tum etiam quia fortasse non adeo in eum sevirent, ut vel carceres vel mortem inferrent, si nihil aliud quam religionis nomen et causam contra eum haberent; quod similiter et aliis etiam evenisse vidimus viris illustribus, tum etiam quod sua præsentia, et fidei publica protestatio foret omnibus Catholicis incitandis ad meliora, et corroborandis egregium et illustre exemplum. Tum narravit mihi D. Alanum qui eo tempore Remensi præerat Seminario hoc sibi per litteras consuluisse, decretumque sibi consilium hoc sequi. Ego nihil repugnandum amplius contra tam prudentis et experti viri sententiam iudicans, suis deinceps consiliis reliqui.

(4) Porro ille continuo quæsivit rem quo pacto perageret, ratus non fore satis securum propositum in dies differre. Incidit in hominem qui totum id negotium in se suscipere spopondit, fideliterque tractaret,

* Really 23 Nov., 1584.

† *See below*, p. 98.

‡ "Father Weston did all he could to diswade him from that course, as himself told me more than once," *Life*, p. 30.: "me" is its hitherto unidentified author. This *Life* does not mention any letter from Dr. Allen as urging or deciding the Earl's departure.

tempus nominatum, navis parata, designatus portus et comportata et imposita omnia pro navigatione necessaria, solvunt anchoras, secundoque vento alta petunt, cumque se iam securos extraque omnem fortunam positos arbitrabantur, repente in hostilem navem, quæ eorum exitum eminus ex insidiis observabat, incidunt, sic enim res composita erat, ut in fuga et non in portu comprehenderetur, captusque reducitur. Porro hæc comitis secreta discessio quo pacto hæreticis innotuit nunquam potuit liquido cognoscere * suspicio vero de quodam erat qui simul cum eo navigabat. † Ille vero firmissimis præsidiis Londinum ductus in turrim retruditur, ‡ paulo post dicta est in eum sententia, et bona publicata.§ cumque plures annos teterrimos et molestissimos carceres constanter est perpessus, charissimorum etiam omnium visu et colloquio prohibitus, sanctissimis quotidie meditationibus et sacris lectionibus mentem interea excolens, in clarissima fidei confessione beatam animam creatori reddidit; putabatur veneno sublatus, ego tamen quamvis a quodam catholico qui tum ei puer in turri inserviebat, percunctatus numquam certo rem scire potui. Moriturus legavit mihi suum quo utebatur breviarum, quod P. noster Garnettus penes se tanquam rem religiosam in posteritatem retinere voluit, non ausus eius custodiam mihi credere, quod diceret, mea omni momento rapinis esse exposita, neque consentaneum tam evidenti periculo rem subdere quam omni auro prætiosius asserebat.

(5) Hoc etiam debueram inter cæteras fortasse in huius Christi [? militis] laudes commemorare, quod inter has gravissimas rerum a[ngustias ?] a regina cum illi fuerat oblata conditio immunitatis a ca[rceribus] si de religione cum Cantuariensi Pseudo-antistite conferre ve[llet], negavit se illud facturum, magis eligens affligi cum populo [? Dei] quam temporalis libertatis brevem habere iucunditatem, m[aio]res divitias æstimans Christiani [? Christi dñi] persecutiones quam mundanæ beatitudinis iniqua et falsa gaudia.

Chronology—17. Attendances in the Parliament of 27 Elizabeth, 1584–1585.

1584, 1585. From the second volume of the *Journals of the House of Lords,* [? 1803], p. 61, we find that "the first day of this Parliament was 23 November, 1584." The Queen herself was present, and on the list of peers present we find the names both of the Earl of Arundel and of the Earl of Northumberland. But in this preliminary session no name is marked with the letter "p."

"Comes Northumberland" continues to appear regularly, but always without "p," until 9 December, when it finally stops.

"Comes Arundell" appears regularly throughout the session. The following table gives the days on which it is further marked "p":—

November 26, 28.

* The Stonyhurst text runs "potuit liquido cognoscere": but the sense requires *either* potui cognoscere *or* potuit cognosci.

† Those captured on board ship with the Earl were Fr. Jonas Meredith, *alias* Farmer, William Bray, and Burlace. For the probable occasion of the arrest, *see above,* p. 71.

‡ 25 April, 1585.

§ Sentence was passed in the Star Chamber, 17 May, 1586; Fr. Weston makes no mention of the further trial and condemnation, 14 April, 1589.

Philip Howard Earl of Arundel
From a portrait at Arundel Castle
by permission of the Duchess of Norfolk

December 1, 4, 8, 10, 12, 14, 15, 19, 21.
February 8 bis, 10, 16 a.m., 17 bis, 22 p.m., 23.
March 1, 4, 6 ,10, 13, 15, 16, 17, 18 bis, 19, 22, 23, 29 p.m.
The Session closed on the 29th of March.

Days on which the House sat, but when the Earl's name amongst the "praesentes" is not marked "p." :—

December 3 5 7, 9, 16.
February 4, 6, 15, 18, 20, 22, 24, 25.
March 3, 5, 8, 11 bis, 16 p.m., 20, 24, 26, 29 a.m.

CHRONOLOGY.—18. THE EARL PROPOSED AS HOSTAGE.

February, 1585. Though the crisis was so fast approaching, Arundel's high rank masked from those not behind the scenes how precarious was his position. A letter written from Paris, 4th March (N.S.) 1585 by Mendoza to the King of Spain, illustrates this general acceptance of the Earl as secure in his distinguished station. The ambassador has heard that possibly the King of Scotland will go to England; "and rumour still runs that the earls of Bedford, Arundel, and Oxford, will be sent to Scotland as hostages for his safety."—*Spanish State Papers Cal.* 1580–1586, p. 533.

XXIII.

LETTER OF THE EARL OF ARUNDEL TO THE QUEEN.

11 to 14 April, 1585.

To forestall the calumnies that would surely arise upon his flight the Earl "writ a long Letter to her (the Queen) which he left with his Sister, the Lady Margaret Sackville, to be delivered unto her after his arrival in France; by which it might appear both to her and to all others, what were the true causes moving him to undertake that Resolution." *Life*, pp. 30–31. "Mr. Bridges, soon after his taking and apprehension had published it among the Catholicks, tho' without any order from him, yea utterly against his mind." *Life*, p. 64. Fr. Bridges, *alias* Grately, may have had authority to publish the letter on the Earl's safe arrival in France, and he seems to have acted on his own judgment in making public after the Earl's capture a letter, which was not meant to be private. In the Star Chamber trial the Attorney General roundly stated that "a coppie therof he left with Bridges, whereby they might be by him delivered abrode also. Whereupon they were published and dispersed in manner of a slaunderous libell after his departure. For the said Bridges caused divers coppies there of to be made by scrivenors and to be published and dispersed in sondrie partes of the realme to divers and sondrie persones" And in the arraignment, 1589, the same accuser said: "Of which letter there was 500 coppies made, which Bridges scattered abroad. . . ." *Below*, p. 281. Popham's accusations are not *per se* reliable. It may be that he is here amplifying a point meant to tell against the prisoner.

This letter is a forcible account of life at court made impossible for the religiously inclined; the answer made to it was twofold. It was pretended that the Earl fled the realm because of disappointed ambition, and the letter itself was in the Star Chamber charged against him as contemptuous of her Majesty.

TEXTS—Of this important document there are fortunately several copies. It is printed in the *Life*, pp. 31–51, in Stowe's *Annales* (Ed. Howe, 1631), pp. 702–706, and in Strype's *Annals III*, pp. 454–458. The manuscripts are as follows:—

(1) B. M. Cotton, Titus B. ii, ff. 201, consists of four quarto leaves written on both sides. Leaf 201 is headed: A Coppy of the Earl of Arundell's letter sent to the queen's ma^{tie}, and has the address: May it please your moste

excellent mat^ie. Leaf 202 ends a third of the way down in Section 4. These two leaves are in large court hand. Leaves 203–204 begin in Section 8 and end in Section 12; they are in current Elizabethan court hand.

(2) B. M. Cotton, Julius F. vi, f. 69*b*, 70, possibly in the hand of one of Cotton's clerks of the 17th century, is entitled: The Earle of Arundell his letter to the Q. Matie written with his owne hand. It opens without the form of address at the words "Your Matie never charged mee" in § 3 and it closes with § 6. This is the version printed in Strype's *Annals*.

(3) B. M. Harl. MS. 787, ff. 46–49*b* has the heading: The Copye of a L^r of the late E. of Arundell's to the Qu's Ma^ty, etc. It is complete from the Address to the subscription: Your Ma^t's most loyall Subject & Servant, etc. A note follows.

"This E., the D. of Norfolkes eldest Sonne, was betrayed by some of his Servants, and being taken on the Seas was brought backe to the Tower, & for his Offence fined in Starchamber 10,000^l and imprisonm^t during the Queens pleasure. Anno Dni 1586. And 3 years after, having had Masse said in his Lodginge for the success of the Spanish Navy, etc., being but 33 years of age, he was arraigned of High Treason and found guilty by his Peers. But the Qu. spared his life, though as fame goes he spared not himselfe."

(4) Cambridge, MSS. of Rd. Parsons, Chancellor of Gloucester. *See* Bernard's *Catalogi*, 8700, cod. 7, n. 3.

(5) Bodleian, Ashmole MSS. (Black's Catalogue) MS. 829, viii, 3, ff. 219*b*–223*b*, copied from the original "written with his owne hand."

(6) Bodleian, Ashmole MSS. 862, ff. 215–224. "The Trewe Coppie of Therle of Arroundell his l'ers to the Queenes most exilente Ma^ti, when he was about to leave England. May yt please yor exelente Ma^ti." Black describes this as a contemporary copy on three inserted sheets of paper.

(7) Bodleian, Tanner MSS. Catalogue. MS. 169 (The second part of the commonplace book of Sir Stephen Powle), f. 79*b*.

(8) Bodleian, Tanner MSS. 299 (various transcripts by Archbishop Sancroft), f. 202.

(9) Bodleian, Tanner MSS. 304, f. 52*b*.

(10) MSS. in Library of Gonville and Caius College, Cambridge; Codex 197, n. 51. ff. 446 to 455.

(11) B. M., Sloane MSS., 2172, ff. 41–43 is a good and complete Elizabethan copy with the title: "Thearle [of] Arundell his letter to the queenes maiestie wreten with his owne hand." It bears out our text as printed. A more extensive search would probably bring to light other copies.

The text here printed is that of (1) Cotton, Tit. B. as far as we have it, and for the remaining portions is based on a collation of (2) Cotton, Jul. F. vi, and (3) Harl. 787, with the texts as printed in the *Life* and in Stowe. The text has suffered occasionally through emendations of copyists: *e.g.*, Later transcribers omit the form of address; some Protestants describe the earl as "late Earl," or "Lord"; the writer of the *Life* has sharpened an expression or two, etc. The text chosen is at least closely related to the original text, as it keeps the form of address, while both hand and spelling are rather of the XVIth than the XVIIth century. Though there is no date, the inference from § 8 is that it should be between 11 and 14 April, as is shown in a note there. Paragraphs have been inserted and numbered. A brief synopsis is prefixed.

Analysis.—§ 1. I pray your Majesty in justice not to condemn me unheard. § 2. That my past life may not seem to have led to my present troubles I would remind you of my service at court & happiness in your favour, which gradually my enemies undermined. § 3. Though in obvious disfavour I continued in attendance on you, & my greatest grief was that none dared bring open charge against me. § 4. At length I was examined by the Council, & although clearly

innocent I was kept in restraint fifteen weeks. § 5. On my release I recalled the fact that had befallen the last three heads of my family. § 6. This, added to the question of my religion, seemed to leave my life in peril, and my soul too unless I lived up to my belief. § 7. I resolved to follow my conscience; § 8. and this entailed difficulties in attending Church. § 9. My religion could not remain unknown, and once known brought me in hazard of my life. I resolved to live in exile and poverty but according to conscience; § 10. and I determined to write this justification. § 11. begging you to question my enemies whether they would not have acted as I in like case. § 12. My innocence is proved by my not flying before I had faced all examinations. § 13. Your royal clemency will not add the pain of your displeasure to my voluntary loss of country and goods. § 14. I crave a right construction of my doings and of this letter.

May it please Your Moste Excellente Majestie.

1. As the displeasure of a prince is a heavier burthen to beare, then the hard conceipt of a meaner and inferiour person; so it is not lawfull for any and lesse convenient for them, to settle any opinion of mislike, before there appeare either some cause sufficient to procure it, or there be fault committed worthie to deserve it. I speake not this, that I doubt of your ma$^{ty's}$ gratious disposition, or that I feare you will condemnpe me without just and evident proofe, for I know it agreeth with the honor of your estate, and I can witnes it hath byn the maner of your proceedings, to know the cause before you give your censure and to heare the matter, before you condemne the person, But I speake with all humility, that I may receave this favorable and indifferent dealing at your ma^{tys} hands. Because I am most desirous to conserve your gratious and good opinion, so I am most carefull to remove all impediments that might hinder or withdraw the same. And beside, for that many actions at the first shew may seme rash and unadvised, which after ripe and sufficient consideracon of the caus, doth appeare to be just and necessary, And in allowing me this, which is no more than your ma^{ts} place doth require you to bestowe upon your meanest subiects, and the gratiousnes of nature hath alwayes moved you to grant to every sutor, your ma^{ti} shall do a thing much plesing unto god and honorable in the sight of the world, you shall take a course much worthy of your selfe, and do that Justice which apperteyneth to your estate.* To be short I doubt not but by this means your Ma^{ty} shall rest satysfied in seing a true and full defence of my dealing, and I remayne happie, being delivered from all feere and suspition of your displesure.

2. And for that the course of my former life may in som part expresse the reasons of my present fact, I most humbly beseech your Ma^{ti} that with your favour I may put you in remembranc how since my first coming to the court which is ix or x yeres past at the lest, it hath ben my cheffest care how to please your ma^{ti} and to perform that which

* *Life* and *Stowe* read: I most humbly beseech your Most Excellent Majesty to vouchsafe but the reading of this simple Writing, and in allowing me this (which is no more than your Majesty's place doth require you to bestow upon your meanest Subjects, and the gratiousness of your nature hath alwayes moved you to grant to every Sutor) your Majesty shall do a thing which is pleasing in the sight of God, and honourable in the eies of ye world, you shall take a course which is worthy of yourself and do that Justice which appertaineth to your Estate.

Harl MS. 787 reads: And in allowing me this (which is noe more then your Ma^{ty} place doth require you to bestowe upon every Suitor) your Ma^{ty} shall do a thing pleasant in the sight of God, etc.

I thought might most content you, how I have ben alwayes redie and ever willing to do that service, which either duty required, or the smalnes of my ability might permit, and for proofe hereof I will appeale to no other Judge then yourselfe, though I could call a great part of your realme to be witnes herein. And so happy was for I som yeres, to see your ma^{ti} to accept my service in gratious part, and to conceive a favourable opinion of al mine actions, † and † as I accounted my labour † I took † a pleasure, and in all my paynes I susteyned a comfort. I mad myselfe a stranger in myne owne house to be a contynual wayter upon your Ma^{ti}, and better to lyve in any sort at court, then to live the best sort at home : for I thought myself most happy when I was most neere to your ma^{ti}, and my tyme best ymployed, when I bestowed it in doing your ma^{tis} service. But at the last whyther the malice of myne adversaries, by reason of your ma^{tys} good countenance towards me, did begin to be greater then in tyme past it had ben, I know not : I found by little and little your good opinion declined, and your favour (as I thought) somewhat estranged from me. I heard from tyme to tyme how your ma^{ti} in wordes tooke exceptions to many of myne actions, and how it pleased you daylie in your speeches to bewray hard and evil conseyt of me. I saw such as you had never favoured, did enioy your ma^{tis} countenance, which till that tyme they could by no means obtayne, and beside this, receaved protection and assistance from your ma^{ti} in all their actions against me.*

3. Notwithstanding all this I knowing my conscience to be cleere came at convenient tymes to do my duty to your ma^{ti}, And though it pleased you at some tymes to talke with me, yet your ma^{ti} never charged me with the least fault or offence unto your ma^{ti}. And thus my adversaries wch did barke behind my backe durst never accuse me, or once open their mouthes to my face. So as I accounted my hap very hard in that I was wrongfully accused, but much worse, because I could at no time be charged, whereas I might have had fit occasion both to have shewed myne innocencie, and to have satisfied your ma^{tis} suspition. For first, seing your ma^{ti} to countenance myne adversaries in myne owne sight of purpose to disgrace me, and that you would not many tyms in the^{r} presence vouchsafe not so much as once to bend your eyes to the place where I stoode. Secondly, finding them incouraged to do me Injurie many wayes by the help of your ma^{ts} favour, †and that† I my self was unable to defend myself any way by reason of your ma^{ts} displesure. Lastly perceaving by your open disgrace, which all men did note, and by your bitter speeches, which most men did know, that I was generally accounted, nay that I was in maner pointed at, as one whome your ma^{ti} did least favour and most dis-grace, and as a person whome you did deepely suspect, and especially

* *Life.* I saw that such as evermore you hated in your heart, and those which before you had not favour'd, did winne your Ma^{tys} good countenance, which till that time they could by no means obtain, and besides that, received protection and assistance from Y^{r} Ma^{ty} in all their actions against me, presently after they had offer'd me wrong, and were become my adversaries.

Harl. MS. 787. I saw that those *speeches* [*sic.* In margin : *Partyes*] which you had evermore misliked in your heart, and those whom never before you had favoured did enjoy. . . .

mislike, I knew that this smoke did bewray a fire, and I saw those clouds did foretell a storm, and therefore with all patience I prepared my self to endure whatsoever was the will of god by meane of your ma^ts^ Indignation to lay uppon me, being assured that my faults to you were none, although my offences to him were many. And having thus resolved my self to endure whatsoever should happen ; I continued some moneths in this disgrace without knowing eyther what was the ground of your ma^ts^ displeasure, or hearing what should be the end of myne owne misfortune.

4. Till at the last I was called by your commandment before your ma^ts^ Counsayl at two sundry tymes*, where many things were objected against me, and some such tryfles, as were Rediculous, and other of them so unlykly as were uncredible, but all of them so untrew as none of them could be justified.

And yet notwithstanding that mine inocency did so playnly appere by my answere, as my greatest enymyes could not reprove me of the smalest offence or undutyfulnes towards your ma^ti^, I was commanded to keep myne howse,† wherfore I sawe that by the course of their dealing it was Resolved that how manifest and clere soever myne Innocency was, myne adversaryes should have the Triumph of the victory in having what they would, and I feel the disgrace of my owne misfortune in induring that, which I noe way deserved. And mine enemies to maintaine their doing by some collorable shew, seeing they could not iustifie their accusations by noe iust proof, procured your ma^tie^ to send some of your Council four dayes after my restraint‡ to examine me of new matters,§ which were of greater weight, and importance ; but as improbable as the former and I did discharge my self, as clearly as of the others before mentioned, so as myne Innocency did more plainly appear, although my restraint did continue. For, after this which was my last examination, I remained in the same estate xv weeks at the least,‖ noe man charging me with the least offence, nor my conscience being able to accuse me of the smalest fault. And at the last, when either mine enimies could not for shame longer continue their unconscionable proceedings, or that your ma^ty^ was informed by some of my friends, that I had too long endured this undeserved punishment, I was restored to my former libertie, without hearing any just cause of your ma^ts^ hard conceipt, or any good colour why I was committed, or but y shadowe of a fault which I might be touched with.

5. Wherefore after I had escaped safely these storms and when I was clearly delyvered from all my troubles, I begann to call to remembrance the heavy sentence which had lighted upon those three of mine Ancestors, who immediately went before me.

* We have no other record of these examinations before Privy Council.

† The Earl was commanded to keep his house from 20 December, 1583. *See above* p. 41.

‡ 24 December 1583. *See above* p. 45.

§ Harl. M.S. to examine me agen of no matters, which . . .

‖ This precludes his being liberated before 8 April, 1584. *See above* p. 56.

The first being my great Grandfather*, who was so free from all suspition of any fault, as because they had noe cullor of matter to bringe him to his tryall, they attainted him by Act of Parliament, without ever challenging him to his answere.

The second being my Grandfather † was brought to his tryal, and condempned for such trifles as it amazed the standers by at that time, and it is ridiculous at this daye to all that hear the same. Naye he was so faultless in all respects as the Earle of Southampton that then was, being one of his greatest enimyes, fearinge leaste his innocency would be a meane to save his life, tould Sir Christopher Heydon (being one of his Jury) before hand, that though they saw noe other matter weightie inough to condemne him, yet it were sufficient reason to make him saie guiltie, for that he was an unmeet man to live in a Commonwealth.

The last being my father ‡ was arraigned according to the law and condempned by his Peers. God forbidd that I should think but that his tryers did that whereunto their consciences did lead them.

And yet give me leave I most humbly beseech your ma^{ti} to say thus much, that howsoever he might unwittinglie or unwillinglie be drawen into greater danger than himself did eyther see or imagine ; yet all his actions did playnly declare and his greatest enymyes must needes confesse, that he never carried any disloyal mynde to your ma^{ti} nor intended any undutifull act to his countery.

6. And when I had in this sort both fully & throughly considered the fortune of those three which was past, I called to mynde mine owne danger which was present, & did think it not impossible by the shew of this rough beginninge, but that I might as well followe them in their fortune, as I had succeeded them in their place. For I considered the greatness of mine enimyes power to overthrow mee and the nakedness of my ability to defend myself ; I perceyved by my late troubles how narrowly my life was sought, and how easely your ma^{ti} was drawne to a suspition and hard opinion of my ancestors, and by my past dangers howe mine innocency was noe sufficient warrant to protect me in safety. I knewe my self, and besides was charged by your counsell to be of that Religion, which they accompted odyous, and dangerous to your estate.

Lastly, but principally I weighed in what miserable and doubtfull case my soule had remained, if that my life had beene taken, as it was not unlikely, in my former troubles ; for I protest the greatest burthen that rested in my conscience at that tyme was because I had not lived according to the prescript rule of that which I undoubtfully did believe and assuredly do persuade my selfe to be the Truth.

7. Wherefore being something induced by all these reasons, but chiefly moved by this last argument, I thought that the not reforming of my duty towardes God in such sort as I knew would please him best, was a principall occasion of my late punishment ; and therefore resolved

* The execution of Duke Thomas II had been ordered for the morrow ; but Henry VIII died in the night, and the Duke was released on the accession of Queen Mary.

† Earl of Surrey, executed 1547.

‡ Duke Thomas III, executed 1572.

whilst I had oportunitie to take that course which might be sure to save my soule from the danger of shipwracke although my body were subject to ye peril of misfortune. And ever since the time that I followed and performed that good intent of mine, though I perceyved somwhat more danger to my estate, yet I humbly thank God I have found a great deale more quiett in my mynde. And at this present I have occasion to thinke my most mortall enemyes my chiefest ffriends ; nay I have most just occasion to esteeme my past troubles as my greatest felicity. For both of them were (though indirectly) means to lead me to the course, which bringeth perfitt quyetness, and onely procureth eternall happyness. And being resolved rather to endure any punishment then willingly to decline from the good beginning I had made, I did bend myself wholy as near as I could to continue in the same without yielding to anythinge that might endanger my soule, or do any act which was repugnant to my faith and profession.

8. And by means hereof was compelled to doe many thinges which might procure perill to my selfe, and be occasion of mislike your ma^ti^. ffor the first day of this Parliament* when your ma^ti^ with all your nobility was hearing of a sermon in the Collegiat church of Westminster above in the chancell, I was driven to walk by my self below in one of the isles. And one day this last Lent when your ma^ti^ was hearing another sermon in ye chappell at Greenwich, I was forced to stay al the while in the presence chamber.

To be short, when your ma^ti^ went upon a Sunday or Holyday to your great closett, I was inforced to stay eyther in the privy chamber, and not to waite upon you at all, or else presently to depart as soon as I had brought you to the chappel. These things with many moe I could not escape, but onely by such open and plaine discouvry of my selfe in the eyes and opinion of all men, as the true cause of my Refusall, could not longer be hidden, though for a while it were not generally noted and observed.

9. Wherefore since I saw that it wold of necessety be shortly discouvred, and withal what a watchfull and jelous eye was carried over all those that were knowen to be recusants, nay calling to mynd how all their lodgings were continually serched, and to how great danger they were subject, if any Jesuit or seminare priest were found within their houses : I began to consider that eyther I could not serve God in such sort as I had professed, or else I must incur hazard of greater punish-

* We have here some help to date this letter. The opening day of Parliament to which the Earl alludes, was 23 November, 1584 (see Chronology 17, *cf.* p. 99). In the next sentence he mentions "this last Lent," *i.e.*, a completed Lent, and, if he is writing chronologically of these incidents, a Lent subsequent to November, 1584. Besides, in 1584, when Lent lasted from 3 March to 19 April, his restraint would have precluded him from attendance till after 8 April at the earliest (see p. 103). Whereas in 1585, he was constantly present in Parliament from February till its close in March, and so would be at hand and expected to wait upon the Queen attending a service during Lent which ran from 24 February to 11 April. The inference is that the letter was written between 11 April, 1585, and 14 April, the date of his arrest. He is said to have tried to arrange an earlier escape ; but if he had then the project of this letter to the Queen, he may have refrained from committing it to writing, till his arrangements were so advanced that it would not be in existence, before he was on the point of starting for safety.

ment then I was willing to indure. I stood resolute and unremoveable to contynue in the first, though it were with danger of my life; And therefore did aply my minde to devise what meanes I could find for the avoiding of the last. Long I was debating with my self what course to take. For when I considered in what contynual danger I did remayne here in England both by lawes heretofore established and by an new act latly made,* I did think it my safest way to depart the realm, and abide in some other place where I myght live without danger to my conscience, without offence to your ma^ty^, without the servile subjection to myne enimyes, and without this perill to my life. And I was so drawn by so forceable persuasions to be of another opinion, as I could not easyly resolve my selfe on which part to ground and settle my determynation. For on the one side my native country, freinds, wife and kinsfolke did invite me to staye; on the other side, the misfortune of my howse, the power of myne adversaryes, the remembrance of my former troubles, and the knowledge of my present danger did hasten me to goe. And in the end finding no middle course, but I must venture to leve in extreme want abroad, or be suer to remayn in continuall danger at home, I regarded more the hazard of soule, wherein I stood, then the preserving of my Lyfe, then the posessing of my Lyving. Wherefore when I had weighed as many dangers as I could remember, and was perswaded that to depart the Relme was the saffest way I could devise, I resolved to take the benefit of a happie wind to avoid the violenc of a bitter storme.

10. And knowing by experience the dealings of those that goe over the seas ar hardly interpreted, though the intent of them be never so good and dutyfull, I presumed to writ this Letter to your ma^ty^ to declare the true reasons and causes of my departing, both to remove all occasions of doubt and suspicion from your ma^ty^, which otherwise this suddayne departure of myne myght peradventure procure. And also to seeke as much as lyeth in me the reteyning of your good and gratious opinion, which as I have ben ever most desirous to enioy, so will I be most willing to deserve.

11. And because myne adversaryes may not have this as a fit opportunity to bewray their owne malice, and to kindle your ma^ts^ indignation against me, I humbly beseech you to aske such as you think do hate me most, whether being of that Religion which I professe, and standing every way in the state and condition as I did remayne, they would not have taken that course for the safegard of their soules, and discharge of their consciences which I have don. And either they must tell you directly that they would have done the same, or playnely acknowledge themselves ATHEISTS, which howsoever they be affected in their harts, I think they would be lothe to confesse with ther mouthes; and when they have satysfied your ma^ty^ in this point which is the fyrst, I beseeche you aske the second, which is last. Whether having their house so fataly and successively touched, and finding themselves to be of that religion which was accounted odious and dangerous to the presente State, whether having ben hardlye handled, long distrayned,

* The Act of 27 Elizabeth, making it high treason to entertain a priest.

openly disgraced heretofore for nothing, and might now be iustly drawen for their conscience into great and contynuall dangers, whether having some in cheefest credit with your ma^ty there mortall enimyes, and standing as a suspect person in your ma^ts opinion, either in respect of their father was taken away in your tyme, and of themselves since who hath many wayes ben wronged and iniured, and besides being of that religion which your ma^ty doth most detest and of which you are most jelous and doubtfull, To be short, having had one of their Anceytors taken away without any shadow of fault, but only for this Reson that he was thought an unmete man to live in a Commonwelthe at that time, and knowing themselves to be so reputed at this time of those who bare most sway in your ma^ts government.

Lastly whether not being able to doe any act or duty whereunto their Religion doth bynd them without the incurring of the danger of fellony by any new act lately made, they would not have departed out of this realme, as I have done ; And eyther they must say they wold have wilfully runn upon their owne deth and headlong have throwne them selves into open danger, which is repugnant to the Law of nature and as I think, flatly against their owne consciences, or else they must acknowledge they would have used the same meanes which I have sought for the escaping these perills. And then I thinke your ma^ti will not hardly conceive of this my dealing, which my mortallest enemyes, if they speak not contrary to all truth, sense, and reason, must needs confess to be just and convenient.

12. Besides to confirme your ma^ts opinion of my innocency herein, your selfe may best remember how I might have departed longe before this tyme, if I had been guilty of any crime, and that I have stood to ye uttermost trial and examination of all my dealings, though I have tasted all tymes since my last restraint your ma^ts hard opinion and publick disgrace both dayly and howrly without any hope or likelyhood of ever recovering your favor and good opinion ; and if my protestacion (who never told your ma^ti any untruth), may carry any creditt in your opinion, I here call God and his angels to witness, that I would not have taken this course if I might have stayed still in England without danger to my soule and perill to my life.

13. Wherefore as it is the true token of a noble mynde and hath alwayes been noted for a certaine argument of your ma^ts gratious disposition, in that it hath ever pleased you to take pitty on those that are in misery, and to respect with the eyes of favour all afflicted persons, so cannot I be brought any whitt to feare your ma^ty will make me the first example of your severe and rigorous dealing, in layinge your displeasure upon me who am inforced to forsake my countrye, to forgoe my friends, to leave my livinge, and to loose ye hope of all wordly pleasures and earthly commodities, if eyther I will not consent to the certain destruction of my bodye, or willingly yeeld to ye manifest endangeringe of my soule. The least of which are so intolerable for any Christian man to endure, as I hope it cannot be thought any undutyfullness in me, if I seek by good and lawful means to avoyde so great an inconvenience. And though the losse of temporale commodityes be soe greivous to flesh and bloud, as I could not desire to lyve if I were

not comforted by the hope of eternall happynes in another world and with the remembrance of his mercy, for whom I endure all this (who endured ten thousand times more for me) yet I assure your ma^ti^ that your displeasure should be more unpleasant unto me than the bitterness of all my other losses, and a greater greife than my greatest misfortunes are besides.

14. Therefore remayning in assured hope that my selfe, and my cause shall receive that favourable conceipt and rightfull construction at your ma^ts^ handes, which I may justly challenge, both because the trial of my good dealings heretofore hath sufficiently deserved the same and also for y^t^ the confession of my mortallest enimyes at this tyme must needs acknowledge myne innocency herein, I doe humbly crave pardon for my longe and tedious Letter, wch the weightyness of the matter enforced me unto, and I beseech God from the bottome of my heart to send your ma^ti^ as great happyness as I wish myne owne Soule.

[*No Signature.*]

XXIV.

THE EARL'S CAPTURE.

April, 1585.

This account of the Earl's capture is reprinted here from the *Life*, pp. 52-56, because it is the only evidence we possess on the Earl's side, and furnishes details not found elsewhere. These particulars must have been obtained through friends or servants visiting or in attendance on the Earl in the Tower, and they call our attention to his undaunted bearing under the blow.

The Earl having writ this letter, and provided all necessaries for his journey, caused a Ship secretly to be hired, in which he intended to have gon from some private port in Sussex or Hampshire,* and he took only two servants to attend upon him, Mr. William Bray and Mr. Burlace.† He went towards the place where the Ship lay two several times to have embarked himself, and was forced to return back, because the winds were so contrary that the Ship could not get out of the Harbor, at the least it was so signified to him. But more probable it is, that was but an excuse framed by the Master of the Ship or some other by whom he was betrayed, to cause delay until all things were in readiness for his takeing at sea and bringing back again; because at the very time, as was well known, other ships departed from other ports not far distant, and had both wind and weather favorable enough to carry them to Calais and other partes of France.

* In the Star Chamber, 17 May, 1586, it was alleged that after Michaelmas [1585] was twelvemonth [*i.e.*, after 29 September, 1584] he twice attempted to embark in Sussex; and that during the adjournment of Parliament [21 December, 1584 to 4 February, 1585] he attempted through Dr. Atslowe to embark from Essex. *Below*, p. 143.

† William Braye probably entered the Earl's service no more than formally for the purpose of travelling with him. He was a forwarder of priests and books across Channel. See *Troubles*, ii, 91. His company seems to have occasioned the seizure of the Earl. *See above*, pp. 71, 73.

For Burlacy see *Troubles*, ii, 379, where Anthony Tyrrell styles him the Earl's secretary. Father Meredith also was arrested on the ship (*Troubles*, ii, 90), then exiled (*Douay Diaries*, 289), and re-arrested in 1586, *C.R.S* ii, 258.

But at length when the Shipman did signify that the wind was fit and all in readiness, he went unto the Port,* embarked himself, and that night put forth to sea; but after a while, the Shipman having hung out a light for a sign, he was boarded, and stayed by one Keloway, Captain of a little Ship of War, who pretended himself to be a Pirate, and so was thought by the Earl and his Company; because being known by them to be a man of a notorious infamous life, they had no reason, as they said, to imagine that he was employed by publick authority for the stoping and taking of them. This Keloway (or whosoever he were that took that name upon him)† offered to let the Earl and his two gentlemen pass free for one hundred pounds in money, swearing he should presently without any further stop or stay from him pass safely into France, if he would but write a word or two to any Friend of his of whom he might receive it. Whereupon the Earl little suspecting any latent fraud wrote in few lines to his sister, the Lady Margaret Sackvil, that she should speak to Mr. Bridges, alias Grately, a Priest, to give one hundred pound to the bearer thereof, by the token that was betwixt them, that 'Black is White'; and withall assured her that now he hoped assuredly to have speedy passage without impediment. Keloway as soon as he got this letter of the Earl read it, and immediately after discovered himself, that he was appointed by the Council to watch there for him, and carry him back again to land, as he did forthwith, giving notice unto them with all speed of all that he had done.

The Earl was nothing at all daunted with this so unexpected accident, and not only with great patience and courage did endure it, but moreover carried it with a joyfull and merry countenance. His Money and all those things he had about him, as Jewels and the like, were forthwith seased upon, and himself conducted with a strong gard towards London by Sir George Cary, Son and Heir to the Lord Hunsden, then Chamberlain to the Queen. One night he lodged in the way at Guilford in Surrey. . . . The day following he was carried to London, and there committed Prisoner to the Tower upon the 25 of April, 1585.‡ His Brother the Lord William, and his Sister the Lady Margaret, were not long after committed to several Prisons.

* Lymington, Hants; not Lyminster (or Leominster) below Arundel.

† Francis Kellway writes from Ibsley, Hants, to Lord Burghley, 31 August, 1587, asking for a warrant to cover him in arresting papists flying into France, whom he might take "in the passing." (*Hatfield Cal.* iii, 579). The circumstances are exactly similar to those of the Earl's seizure, This Francis seems to have been of Rockburne, and Sheriff of Hants for 1586, 1587. He was in difficulties at court, however, in 1591 and 1593. Dasent, *Privy Council Register. See* Murdin, p. 812.

‡ In the trial, p. 280, the date is given as "between Hollandtide [? = Hoketide = Easter = 11 April] and Michaelmas," as "the 24th day of April," and as 14 April, 1585, and in one place by implication as 2nd May. Bernardino de Mendoza writing from Paris, 4th May (old style 24 April), 1585, to the king of Spain, adds a postscript "since closing this letter I have heard that the English Ambassador here has advices reporting that the earl of Arundel had taken ship to leave the country, but the wind being contrary, he had to put back, when he was captured and taken before the Queen." *Spanish State Papers, Cal.*, 1580–1586, p. 536.

XXV.

DISPATCHES FROM THE FRENCH AMBASSADOR.

i. Mauvissiere de Castelnau to the King of France.

London, 26 April, 1585.

Autograph postscript. Printed from King's Library, Paris, No. 9513 *Lettres Originales d'Etat*, iii, 293, in [F. H. Egerton], *Life of Thomas Egerton, Ld. Chancellor of England* [? Paris, 1828], p. 202. France had adopted the "New Style" (ten days in advance of the "Old Style") since the end of 1582. Though the French Embassy at London would, of course, use English time, it is likely that in correspondence they would now use the French calendar. If so the English date would be 16 April.

Sire. . . . Je suis adverty que la Royne d'Angleterre est apres à fere metre la main sur le collet à des plus grands de son Royaulme, qui ont quelque entreprinse de sortir hors de cedict Royaulme, et mesmement le Compte d'Arondel qui est le premier des seigneurs de ce Royaulme, filz du Duc de Norfort, dont la race a esté fort infortunée, car le père, l'ayeul et le bisayeul ont tous* eu la teste trenchée, et ledict Conte, qui est à present, n'y a pas quatre ou cinq moys, a esté mis en liberté.† C['est] maintenent catholique, luy et ces freres, comme il y en a ung très grand nombre en ce Royaulme, ou ceste Princesse fet de grands prèparatifs de s'armer, et par mer et par terre, et en deffience que tout l'oraige de vostre Royaulme luy tumbera sur les bras.

Vostre très humble, et tres obéissent, et
trés fidel subject et serviteur,
M. de Castelnau.

ii. The Same to the Same.

London (? 24 April), 4 May, 1585.

F. H. Egerton, *Life of Egerton*, p. 204, from *Lettres Originals d'Etat*, MS. 9513, iii, 295 in King's library, Paris.

Sire. . . . [After speaking of Elizabeth's preparations for war]. Et en cest endroit, je diray à V. M., Sire, que le conte d'Arondel, qui est fils aisné du duc de Norfor et le premier seigneur de ce Royaulme, duquel le Pere, l'Aieul, et Bizaieul ont tous eu la teste tranchée, cestuy-cy, n'y aiant pas cinq ou sis mois qu'il fut eslargi, et mis en liberté pour quelques soubzsons et deffiances prinses de luy, au mesme temps que le conte de Nortomberlant fut mis à la Tour de Londres, ou il est encores. Ce jeune Seigneur conte d'Arondel a prins quelque nouveau mescontentement, ou de se voir icy bien peu respecté, ou pour estre en son coeur de la Religion Catholicque, que luy et ses freres, depuis deux ou trois ans, ont professée secretement; depuis huict ou dix jours, il est parti de ceste court, et s'en est allé en sa ville d'Arondel,‡ qui est sur le bort de la mer, et, la c'est secretement embarqué, comme lon dit, avecq la valleur de 20 mille escuz en argent,§ avec toutes ses bagues et joiaulx, pour aller ou en France ou en Espaigne, l'on ne scait lequel; mais, depuis son eslargissement, la Royne et son Conseil ont toujours faict avoir esgard sur luy; de sorte que, en ladicte ville

* Philip's great grandfather, though sentenced, was not executed.
† This would make him freed about November, 1584. But *see above*, p. 56.
‡ This is incorrect. *See above* p. 109 *n.*
§ *See below*, p. 134.

d'Arondel il estoit esclaré de si près, qu'il n'estoit pas ung quart de mil en mer et hors de la veue des chasteux que deux petits navirs allerent aborder, le prirent, et le menerent en l'isle de Wic, ou la Royne l'a envoyé querir par le grand Mareschal de son Hostel, qui est comme le grand Prevost du vostre. Il y en a qui disent, qu'il c'est deffendu, et estre blessé, et avoir voulu donner 20 mil escuzes que l'on le laissast aller.

C'est ung seigneur de fort douce conversation, et qui a faict plusieurs grandz festins, despences, et tournois pour donner plaisir a sa mestresse, ou elle m'a tousjours convié, et encores à celluy qui luy fist environ Noel, quand le Chevallier Courtois estoit icy, ou ladicte Dame me loua fort ledict Comte d'Arondel, et son bon naturel. Toutesfois elle est aujourd'huy en grand soubzson, que s'en allant d'icy, ce ne fust avec grandes practiques, et quelques dessaing des Catholicques, qui sera cause, qu'ilz seront recerchez de plus près. Ledict Conte doibt aujourd'huy* est[re] reamené à la Tour de Londres, qui a tousjours esté ung très mauvais logis à ces pères, qui n'en sont sortis que pour avoir la teste tranchée.

Je ne fauldray, Sire, . . . de regarder dilligement à tout que sera pour le service de V. M., &c. De londres, ce 4 may, 1585.

Vostre très humble, &c., serviteur.

M. de Castelnau.

iii. The Same to the Same.

London, 11 May, 1585.

Egerton, p. 205, from MS. *Lettres Originales d'Etat*, iii, 302. King's Library, Paris, 9513.

Sire. . . . L'on est après de recherchez, sy le Comte d'Arondel auoit quelque practique avec ladite Royne d'Escosse pour troubler ce royaume, par son partement d'icelluy; mays ledict Conte d'Arondel a pleynement confessé de ne c'estre voullu absenter, pour aultre effect, que pour aller en France, chercher de vivre en liberté de sa conscience, qui luy importoit plus que quarante mil escus de rente qu'il auoit en ce Royaulme en belles maysons et authorité du premier seigneur d'Angleterre, encores qu'il fust teneu et estimé selon sa dignité et le service qu'il c'estoit essayé de fere à la Royne sa souveraine en toutes choses. Pourquoy il voulloit aller vivre soubz les lois de V. M. qui donniez liberté de conscience à ung chescun. L'on dit† que par les lois de ce Royaulme, il sera mal aysé de luy fere mal, pour en estre voullu sortir, s'il ne ce trouve quelque chose de plus criminel, parce qu'il est permis à ung seigneur chevallier, ou gentilhomme d'estre absent pour six moys, et de partir sans congé: mais si après il est mande retourner, il fault qu'il le face sur peine de crime de lèze Majestè; et aussy que les Contes et Barons de

* If the French embassy is dating letters by the New Style, this "aujourd'huy" would be in England 24th April, O.S. Conflicting dates are given for the Earl's capture. The *Life* says he was committed to the Tower on 25th April. Christopher Burbacy was taken with the Earl, and the charges for his diet, &c., in the Tower begin from 21st April, 1585. *C.R.S.*, iii, 21.

† By this *on dit*, and that which follows, we see that Castelnau has been lately in communication with someone such as Lord Henry Howard. Whatever the value of the privileges here mentioned, the Tudor tyranny could always, when it wanted to do so, frustrate them with ease, as it did here.

ce Royaulme ne sont pas contrainctz en leur conscience par les lois que cette Princesse establit à son avénement à la couronne. D'autre part l'on dit* qu'il ne c'estoit encores point déclaré Catholicque, mays au contraire avoit tousiours esté en l'eglise Anglicaine ; qui fet penser et juger aulxs ennemis dudict Sieur Conte d'Arondel, qu'il s'en voulloit aller pour troubler ce Royaulme.

Cependent ledict conte demeure prisonnier avec grand danger, quant ce ne sera de la vie, pour le moins de n'en partir pour longtemps, et peult estre de ce règne. Tous ces freres ont esté mis en garde et ung chevallier de son nom, appellé le Sieur Jehan Arondel,† de grand credit dans ce Royaulme, et grand Catholicque, fut hier mis prissonnier, estant aysé a veoir, que ceste mayson est fort suspecte, et avec beaucoup d'amis et d'ennemis.

La Royne d'Angleterre envoya, hier, visiter ma femme par madame Drury, seur de M. de Staffort, laquelle estait des plus grandes amies dudict sieur Conte d'Arondel, et me dist que en servant ladicte Royne a disner, l'avoit trouvée en trés mauvaise opinion dudict conte, et luy en auoit parle de mauvayse façon luy disant, " qu'elle [le] sçavoit bien estre de ces meilleurs amis, mais qu'il falloit aymer sa Royne et son pays avants toutes choses " ; et ladict dame Drury ne pouvoit parler dudict Sr. Conte que la larme a l'œuil ; aussy a-t-elle tousjours fet estat d'estre affectionnee à la France comme elle est encores.

Voilla, Sire, ce que j'ajousteray à la coppie de ma derniere despesche, pour prier Dieu, quil donne a. V. Majesté—tres longue vie, &c., De Londres ce xi May, 1585.

Sire—le Conte de Lecestre . . . supplie très humblement, V.M. de le tant honorer, que ces villains livres ‡ fetz contry luy et publiez en France et venduz à Paris, soint supprimez et deffenduz . . . Le Conte d'Arondel avoit esté blessé, en se voullant defendre, ung coup de harquebeuse luy fut tiré au cors qui passa au travers de son prepoint, sans luy fere que frayer entre la cher et la chemise, et vendu par le mestre du navire qui le menoit.

Vostre très humble, &c.,
M. de Castelnau.

Chronology—19. News Abroad of the Earl's Capture.

May, 1585. Monsieur la Rue, *vere* Fr. Henri Samerie, S.J., writes from Chalons, 18 May, 1585, to Mary Queen of Scots: "They [*i.e.*, People] are very sorry for the taking of the Earl of Arundel, and that in everything everywhere your affairs are discovered." *Scottish Cal.*, vii, p. 666. Apparently there was some false impression that the government had laid hands on the Earl owing to their knowledge of Queen Mary's concerns.

* Castelnau had previously announced Arundel's conversion in terms that were too strong. Whether the change of tone here is due to misconception, or misinformation, or to caution we cannot tell.

† Sir John Arundell, of Lanherne and Chideock, who died in 1591, was only remotely connected with the Howards, through the Arundells of Wardour. But ever since the time of Campion at least, he had been one of the most conspicuous of Catholic confessors, being restrained to London, where the Council could harry him without interference, whenever, as now, suspicion arose. In the previous March he had been tried for signing the petition to Elizabeth against the barbarous new laws. *Dom. Eliz.*, clxxvii, p. 17.

‡ The book widely known as *Leicester's Commonwealth*. *See* p. 57.

Bernardino de Mendoza writes, Paris, 1st June (old style 22 May), 1585, to the King of Spain: "I have received confirmation of the news from England I sent in my last (*above*, p. 109 n), to the effect that they had captured, whilst he was attempting to escape from the country, the Earl of Arundel, who is a brother (son) of the Duke of Norfolk whom the Queen beheaded. As soon as the Earl reached London he was lodged in the Tower, and at the same time the Earl of Northumberland was kept closer in the same fortress. The Queen also ordered the arrest of my Lord (William), the brother of the Earl of Arundel, and that of Lord Harry his uncle, who are consigned to the care of Lord North, a great heretic, and it is said they are to be cast into the Tower. At the same time they took prisoner Harchilo (Atslowe), a Catholic and a very great physician, who had been put to the torture on suspicion of carrying on communications with Catholics, and the partisans of the Queen of Scots, under cover of his profession." *Spanish Cal.* 1580–1586, n. 395.

XXVI.

THE EARL EXAMINED IN THE TOWER.

1 May, 1585.

The authority of the writer of the *Life*, pp. 57 to 63, for his account of the Earl's examinations is nowhere defined. It may have been at first hand, some note sent out by the Earl, or it may have been at third hand through the Countess or some visitor or attendant who had access to the prisoner. The statements made are very interesting, though they are uncorroborated and cannot be taken as necessarily true. As far as concerns others the Earl admits all that seemed already known to the government; he exempts Lord William Howard from all but the attempt to fly with him on the first occasion; for himself he freely confesses that he placed himself at Allen's disposal for the Catholic cause, but not against his Queen or country. Partly because it might be already known through Henry Dunn, partly because the sentiment would not be obnoxious to some at least of the Privy Council, he does not hide that he had been moved to write to Dr. Allen in the hope that means might be found to frustrate Leicester in his perseeution of Catholics, and even "that he might be taken away by some lawfull means." If such an admission was really made, it is strange that no charge was developed out of it in the Earl's trial; that such an admission was possible, however unexpected it may be to us, is at least arguable from the condition of domestic and politieal enmities disclosed in the section, *Leicester's Commonwealth*. *See above*, pp. 66, &c.

Soon after his Committment he was twice examin'd by some of the Council who were sent unto him to the Tower for that special purpose by the Queen. The first Examination was upon May day, the which being ended Sir Christopher Hatton,* then Vice-Chamberlain and of the Privy Council, stayed with him after the departure of the rest, and wished him if he loved his life not to conceal any of those things which were already known, as that he and his Brother the Lord William had sent to Dr. Allen. That they had attempted to go over. That they had heard from and offered to be directed by him. That Mr. Bridges the Priest was the messenger who was commanded by Dr. Allen to deliver the Message unto them both jointly, and came unto them by the name of Grately, with divers other circumstances which were all most true.

* Sir Christopher Hatton's friendship was not very strong; his co-operation with Walsingham and Leicester against the Earl is seen above, p. 50, *below* pp. 119, &c.

For Mr. Bridges had out of confidence told all these things to one Mr. Gilbert Gifford, a Priest who then lived at Paris in France, and after was discovered to be a spye who gave intelligence of these and all other things he could come to know unto some of the Council.* He told them also that one Mr. Henry Dun,† a gentleman of his acquaintance who then was a Servant to Sir Christopher Hatton, and he had confessed them all [*sic*], being called as it seems in some question thereabout, as the same Sir Christopher then told the Earl out of good will, promising him if he would set it all down plainly to do his best endeavour to save him from danger. Otherwise the very denial itself would cast more danger upon him than all his friends would be able to save. Thereupon the Earl after many thanks for his great love and friendly counsel declared plainly everything as it was, and the cause why he had sent to Dr. Allen, clearing his Brother the Lord William of all things saving only his attempt to have gone over with him the first time he intended to have gone.

The next time that the Council came to examine him, they often asked and earnestly what he would have done beyond seas : his answer was ; He would have served in any place that Doctor Allen had judged fit for him, so that it had been for the Catholick Cause. They asked again if he would have done anything against the Queen or the State of this Realm upon Dr. Allen's perswasions. He said that no, not for a world. They demanded then if the Title of Duke of Norfolk had been ever offer'd him, or if Dr. Allen had ever written to him by that Title.‡ He answer'd that never ; and that one haveing said unto him, that he should have a better Title than he had, when he came beyond seas, he presently replied that he would never have better whilst he lived. They asked what cause moved him to write to Dr. Allen : He answered that upon Master Bridges his speeches, who told him that the Earl of Leicester had vowed to make the name of a Catholick as odious in England as the name of a Turk, and therefore wished him to write to Dr. Allen, that if some means might be found how to deal with that Earl, or that he might be taken away by some lawfull means, it would be a great good for the Catholick Cause, and a great safety to all Catholicks here in England. And this he said because he doubted they had intercepted his letter to Dr. Allen, by Mr. Dun's means, who knew where it was, and that at his departure to Sea, it was not out of England.§

After this they charged him with a Letter that contained great danger both to the Queen and State : to which he answered most truly that he never heard nor knew of any such. Whereupon they

* The author of the *Life* is mistaken in this attempt to trace the source of the government's information. It is an error to say that Bridges had told Gifford then a priest in Paris : Gilbert Gifford in 1584–5 was at Rheims and still a student not yet a priest. A year later, however, the two were traitors to their brethren but again not quite as this writer imagines.

† Henry Dunn, afterwards one of Babington's conspirators. *See below*, pp. 116.

‡ It is alleged against him in the trial that his friends ambitioned for him the family title of Duke of Norfolk. *See below*, p. 240.

§ This is the only letter to Dr. Allen which the Earl admits, and it had not reached its destination. *See* p. 117. The other communications seem to have passed without writing through Fr. Grately. Fr. Weston, *above*, p. 97, mentions a letter received by the Earl from Allen.

shew'd him one of three sides of paper at the least, but would not suffer him to read more of it than the two first lines which were these :—' Sir, this letter containeth such matter as is fitter for the fire to consume, than to be laid up in your study.' In it was written (as partly he then perceived by the Examiners, but better afterwards by other meanes) that though he went away poorly, he should return in glory, and land in Norfolk with a great power of Men to trouble both the Queen and State. It was written, in a hand resembling his very much, unto Mr. William Dix his principal officer, a man of good estate in Norfolk ; and to make it more colourable, it mentioned divers particular matters both touching sales of wood which he had made, and others which he would have made.

The Council told him he should be arraigned about that letter. His answer was that if there were no remedy but that he must needs die, he beseeched God to have mercy on his soul, and desired their Lordships to become humble suitors to the Queen in his behalf that he might not be called in question of his life for that of which he was never guilty ; but as innocent both from that and all kind of Treason, as the child now newly born.

That letter doubtless was forged by some of his enemies who intended to have thereby procured his Death and Destruction. It was first brought to light, as he understood afterwards, by Sir Francis Walsingham the Queen's Secretary, a heavy friend of his, or by some of his instruments, and was pretended to have been intercepted at the very time of his going to sea ; by which it was apparent to have been forged by some who had notice beforehand of his going, as the Secretary and some others of his greatest enimies had, even from the beginning. But most of the Council could never be ascertain'd either where or how it was taken : for which respect the best of them did esteem of it no otherwise than a forged thing. As indeed it evidently appeared to be by some things contained in it, which shewed that the writer had in truth smal knowledge or acquaintance with the Earl's affaires. And therefore they neither thought it convenient ever to arraign him thereupon, as some of them had threaten'd ; nor when he was brought into the Starrchamber (which was done not long after), where all that could be alledged against him was manifested to the world and exaggerated to the utmost, this Letter for anything I could ever learn, was never mentioned."*

XXVII.

PRESSURE ON THE EARL, AND HIS COMPLIANCE.

28 April to 7 May, 1585.

The four letters that follow have already been printed in Sir Nicholas Harris Nicolas, *Life and Times of Sir Christopher Hatton*, pp. 418–420, 427. Sir Christopher Hatton, alone with the Earl after the departure of the other examining Lords, posed as his friend (see above, p. 113) ; here we find him, prompt on the news of the arrest, questioning his own follower Henry Dunn

* This letter was not brought forward in the Star Chamber ; but at the trial what appears to be this forgery was put in as evidence. Now however it is not addressed to Dyx, but variously to a non-existent Baker at Lynn, or to Thos. Smith, his butler. *See below*, pp. 245, 257 n, 270, 281, 286.

who was an acquaintance of the Earl, and sending on to Walsingham the result as evidence for the prosecution. Walsingham reports it of little value for the purpose. Very notable is the Secretary's frank admission:—"It were hard that the Earl's reconciliation should be urged against him, being a matter rather of conscience than of State." The chief prosecutor testifies to the absence of justification for the proceedings against the Earl. But Hatton wrote again, possibly recounting the bearing of the Earl under examination in the Tower, and only two days later Walsingham has changed his mind and will have "no advantage to be lost until he be drawn to some other language, seasoned with more humility." Walsingham under a false impression of the Earl's character suspects that others are giving him courage; "No man is of his nature more fearful." In fact, the Earl once resolved to practise his religion was staunchly true to his conscience. Yet Hatton succeeded in so representing matters that the Earl writes in the Elizabethan courtier's tones "seasoned with more humility": "I was slipping, but not fallen." The offence he discovers in himself after protracted self-examination was his writing to Dr. Allen that he would be at his direction. This letter he had tried to recall for fear of misconstruction; and when this misconstruction was promptly put upon it, he entered his protest that he would never do anything against Queen or country.

i. Sir Francis Walsingham to Sir Christopher Hatton.

Barn Elms, 28 April, 1585.

Brit. Mus., *Add. MSS.*, 15891, f. 154*b*. Nicolas, p. 418.

Sir—I have perused the examination it hath pleased you to take of D. [*in margin* Dun],* and finding by your report of the man that he is but simple, and that the last year he was somewhat distracted of his wit, I see no cause but upon bond of good behaviour he may be set at liberty. And so I commit you to God, at Barn Elms the 28th of April, 1585.

Your most assured friend,

Fa. Walsingham.

ii. Same to Same.

Barn Elms, 29 April, 1585.

Brit. Mus., *Add. MSS.*, 15891, f. 153*b*. Nicolas, p. 419.

Sir, I return unto you D——s examination. It were hard (though it might be sufficiently proved,) that the Earl's reconciliation should be urged against him, being a matter rather of conscience than of State. And seeing her Majesty hath heretofore (in point of conscience) dealt graciously towards Jesuits and Seminaries, men of worse desert, it would be ill thought of that one of the Earl's quality should receive harder measure, than those that are reputed the poiseners of this estate.

Touching the paper wherein it is said there were certain hallowed grains, I received it from my Lord Treasurer, who can give particular information about whom it was found. And so praying God to send

* Mr. Henry Dunn knew of the whereabouts of the Earl's undelivered letter to Allen. *See above*, p. 114. Three months later Berden writes of him as corresponding with Fr. Bridges and Lady Margaret Sackville. *See above*, pp. 80, 84, 87. In Hatfield MSS. Calendar, iii, n. 444, he appears among the arrested Babington conspirators as "Hen. Dune, sometime servant to Mr. Dodge," probably enough a blind to hide the name of Hatton. Later on Mendoza writing from Paris, 6 September, 1586, to the Spanish King, says: "They arrested at the same time (as Master Babington) a secretary of Hatton's, a strong Catholic." *Spanish Calendar*, p. 617.

you continuance of health, which I lack, I commit you to his protection. At Barn Elms, the 29th of April, 1585.

Your most assured friend,

Fra. Walsingham.

iii. SAME TO SAME.

Barn Elms, 1 May, 1585.

Brit. Mus., *Add. MSS.*, 15891, f. 154. Nicolas. p. 420.

Sir—The view of your letter hath made me change my opinion touching the proceeding with the Earl, whose courage is to be abated, and no advantage to be lost until he be drawn to use some other language, seasoned with more humility. You shall do well to advise Mr. MacWilliam to look well to his charge. It cannot be but that he receiveth some comfort, and that not from mean persons that putteth him in this courage. No man is of his own nature more fearful.

It will behove her Majesty to make choice of some other to supply the place of the lieutenant of the Tower. It sufficeth not for him that shall hold that place to be only faithful, but he ought to be wise. I know it now to be the corruptest prison in England, which in these dangerous times standeth not with policy.

The force of the Guisans increaseth, and so much the more for that he daily getteth into his hands the King's treasure. The Queen Mother adviseth her son to grow to a peace, at the said Duke's price. Few or none are willing to serve the King, but those whom he dare not use. Cardinal Montalto, sometime a grey friar, by favour of the Spanish faction is elected Pope *: a man most furiously bent against those of the religion. There lacketh now to bring our danger to the height of his pride, only the King of Spain's full possession of the Low countries, which in the course we hold, will within a few days come to pass.† And so with my most hearty thanks for your promised favour to Sir Philip Sidney, I commit you to God. At Barn Elms the 1st of May, 1585. Your most assured friend,

Francis Walsingham.

iv. THE EARL OF ARUNDEL TO SIR CHRISTOPHER HATTON.

The Tower, 7 May, 1585.

Brit. Mus., *Add. MSS.*, 15891, f. 148*b*. Nicolas, p. 427.

I pray pardon me good Mr. Vice-Chamberlain that I sent not this letter yesternight. The cause of my stay was because I know I have greatly offended her Majesty, and therefore am desirous for as full a satisfaction as lieth in me to make, truly of myself to confess the sum of my offence. Wherefore I staid this morning to see if I could anyway call to mind anything that yesternight I had forgotten. That I have been both confessed and absolved, I cannot deny: but I protest led unto it merely by conscience, without intending either to offend her Majesty or her state. My sending to Dr. Allen I have already acknowledged. Two things only I am now to add. The first, that I offered to be at his direction. The second, that I wrote a letter unto him, and that was the only letter which ever I wrote, wherein I

* Pope Sixtus V was elected, 14/24 April, 1585.

† Antwerp surrendered to the Spaniards, 17 September, 1586.

did signify as much by writing, of my being at his direction ; and in this I must needs confess I offended her Majesty. And I protest afore God, was so sorry for it after, myself ; as when the messenger who should have carried it, had not opportunity at the first to go over, I desired that it might be burnt ; and what is done with it I know not ; but Brydges told me it was burnt.

Now having in these points laid open fully and thoroughly wherein I have offended her Majesty, I protest afore God, as far as I can call to remembrance, I do utterly deny and disavow, that ever I was privy to any plot or practice laid or made against her Majesty or her state, and if it can be proved that I was made privy either to any former plot, or any new practice, I desire no favour otherwise, I hope so much in the goodness and mercy of her Majesty, as she will take some pity and compassion upon me. I must confess I was slipping, but not fallen. I call God to witness she hath raised many that have slipped more, and therefore I cannot despair but that she can raise me ; and as her goodness in that shall be exceeding great towards me, so I doubt not but my deserts towards her shall be such as her Majesty shall well find that I desire to be thankful, and that I strive by all means to make satisfaction for this my offence. And thus laying myself at the feet of her Majesty's mercy, and commending my cause to your favour, I cease further to trouble you. From the Tower : the 7 of May, 1585.

Yours most faithful and assuredly for ever,

ARundell.

XXVIII.

FURTHER EXAMINATIONS

The Tower, 4 to 17 May, 1585.

B.M., *Egerton MS.*, 2074, ff. 13, 29, 30, 32, 54, 39, all, except the last, originals in Wylkes' hand. This codex was purchased by the British Museum from Messrs. Boone, 9 January, 1869. It had been arranged and bound by W. Hamper, 13 April, 1826, and it has not yet been completely catalogued. It is really the dossier kept by (Sir) Thomas Wylkes, clerk of the Council, most of the papers being written, or endorsed by him, or are addressed to him. It runs from April till July, 1585, during which time Wylkes was secretary, first, for the inquiries into the flight of the Earl of Arundel, then into the prosecution of the Earl of Northumberland, and, finally, for the inquest into the latter's death. The volume affords valuable evidence as to Tudor methods. It frequently shows the Queen's urgency in the prosecutions ; it illustrates vividly the unfair means used to cow and depress the unfortunate Henry Percy.

The papers which immediately illustrate the life of Philip Howard are printed below. Though they are not numerous, they are found in company with many others of great importance for the life of the Earl of Northumberland, whose fortunes were so closely allied with Philip's, and there is also valuable material for the history of the Howard properties, and for many followers of the family. Further particulars about these papers will be given at the end of this number.

It will be remembered from the pieces just printed that Walsingham was not at first inclined to attach much importance to the Earl of Arundel's attempt to escape. But on the 1st of May he "changed his opinion." His easily awakened suspicions were aroused by the Earl's courage. He fancied there must be some more dangerous man behind the prisoner, and from what

we here read we see that he may have feared Percy (iii, 17, 18, &c.). On the 4th of May the Earl was re-examined, and we have the questions (no. i), though not the answers. We may guess at these, however, from the further examinations of the other prisoners (nos. ii to iv) on the 7th and 17th (no. v). But in all such calculations we must remember that the Government was now employing the ruse of pretending to one victim that incriminating confessions had been made by another, though in truth there had been no such disclosures (*see* Appendix to this number). After these examinations a table of "contrarieties" between them was drawn out (no. vi); but nothing of importance had been discovered, and we do not wonder at the inquiry into the Earl of Arundel seeming to stop herewith, though against Percy the inquisition was forced on *per fas et nefas* (*ibid.*).

i.

The answers of the Earl are wanting.

4° *Maii* 1585. *Pointes for the examining of the E. of Arundel.*

To feele him in his owne course uppon the former points delivered him or anie other matter.

That don, to presse him what intelligence he hath had by anie meanes, of Charles Paget's last being in England at or neere that time.

Then what he then understoode of ffrancis Throckmorton's cause and by what meanes.

How farre forthe he hathe ben mooved by anie and by whom of anie matter or enterprise that maie touche the state and at what times.

Then to sett downe the true cause that mooved him to departe the Realme, for conscience by all probabillitie it cannot be.

To what porpose his L. & Sir Mathew Arundell viewed the haven of Langston at his first comyng into Sussex.

ii.

Wylkes' marginal mark "contra," here and below, refers to supposed "contrarieties" from the confession of the Earl of Arundel. These are exhibited in tabular form in no. VI.

11° *Maij* 1585. *The l. W. Howard examined before the l. Chanceller, Mr Vicechamberlain and Sir Walter Mildmay.*

1] He confesseth that a little after michaelmas last his l. together with the E. his brother, vere, walgrave, Holland, &c. did attempt to goe beyonde the Sea: at which tyme they went as farre as Grenstead [*margin*—false] and the cause of their sodaine retourne backe was that the E. then changed his mynde.

2] He denyeth that [to his knowledge *interlined*] Hall the priest was then in their company at Grenstead, and saithe he dothe not knowe Hall; and cam to Grenstead after the E. his brother arrived there.

3] He knoweth Bridgs, but cannot tell of what profession he is, and denieth that ever he heard him say masse. [*Margin*—contra.]

4] He never offered himself to doe: Allen neither doth knowe that D. Allen did euer write to the E. his brother or the E. to him nor ever heard anything touching any plott sett doune by Allen for the invasion of the Realme. [*Margin*—contra.]

5] The cause why he wold haue gone over is declared to m^r vice-chamberlain.

6] Yf he had gon over he meant never to haue retorned againe but with her maiesties fauour, and denyeth that euer he meant to retourne by Norfolk &c.

7] He had no means for his maintenaunce beyond the Seas but suche as he hoped for by the E. his brother.

iii.

11° Mai, 1585. *Therle of Northumberland examined before the chancellor, Mr Vicechamberlain, Sir Walter Mildmay.*

The Earl of Northumberland's words on the subject of Charles Paget's mission are very strong; indeed, "he protests too much." But in his circumstances nervous anxiety was quite to be expected. He knew that he was surrounded by suspicious and remorseless enemies, who would go to extreme conclusions on the slightest concession. The Government idea that Paget went expressly to consult that earl about the Duke of Guise's plans does not seem to be well founded. It rested, they said, on Throckmorton's confessions. But Throckmorton can at best only have heard this at third or fourth hand. He confessed under torture or the threat of it, and the texts of his confessions are lost, and the Government versions are damaged by its avowed principle of "bearing in hand" their audience that their victims "have confessed what is likely, probable" (below, p. 126). On the other hand—(1) Paget's instructions, which remain (*Spanish Calendar*, 28 August, 1583, p. 505), do not mention the earl; and (2) the remaining report of his mission does not mention a conference on the enterprise with Northumberland, only one with "a gentleman" (*Spanish Calendar*, 15 November, p. 510). This man may well have been Shelley. Shelley's charges (*Egerton* 2074, f. 73), if carefully read, are not very conclusive. Shelley never says that Paget declared Northumberland's consent, or quoted his authority or his promises. We only hear of Paget's praises of the earl as "a forward man," "the only nobleman of condition," and the like. The presumption so far is that Northumberland kept aloof from a dangerous subject, but, of course, more documents may yet be forthcoming. Berden's eavesdroppings somewhat confirm this, pp. 79, 80.

1] His l. thinkethe that the l. Treasurer, or Mr Secretary, told him of her Ma^ts^ misliking that the l. Percy being in France should frequent the companie of Charles Paget: he never heard notwithstanding that Charles Paget at this time was charged with any disloyaltie. And after the admonition given to his l. he heard that Paget hathe cleared him self of suche suspitions as were conceived of him.

2] He saithe that the l. Percye being in France and Charles Paget also; he desired Paget to have an eye unto him for his conuersation and Studie.

3] He doth not remember that any admonition was given him to take heede how he delt with Charles Pagett when he cam to Petworth. [*Margin*—? niet aft ?].

4] He saith that when he had reade the letter brought from Paget to his l. by Wicliffe, he knew not from whome the letter cam, and therefore sent Wicliffe into the Towne to se and knowe whoe it was.

5] His l. thought that Paget had clered himself of all suspition by reason that his l. heard Charles Pageot did use often to resort to her Ma^ts^ Ambassador in ffrance and to m^r^ Secretary whilest he was in ffrance: and did alwaies thincke that the greatest maters that were obiected against Pageot were for Relligion.

6] His conference and talke wth Ch. Pageot was only about the causes of his comyng which he declared to be upon maters betwene him and the l. Pageott his brother; and talked furder with him of the state of ffrance and maters occurrents beyond the Seas.

7] He forsaketh God and his salvation if he knew any other cause of his comyng: or knoweth with whome, he had otherwise conference here within the Realme.

☞ 8] He knew of the l. Pageots going half a yere before he went over and that he had a porpose to goe for maters of his conscience.

9] Charles Pageot declared to his l. that one cause of his coming was to have the l. his brother come over beyond the Seas.

10] He never knewe of any practise in hand against the Quene, and never knew but the l. Pageot was a very true and loyall subiect to Quene Elizabethe.

11] He is sorie that ever he offended her ma^tie^: but if he haue not said the trueth in all things that have been demanded of him no favour but all severitie.

12] Charles Pageot staid with his l. about 8 or 9 daies. Charles cam to him in the fridaye,* on the twisday following the l. Pageot cam to Petworth, and Charles departed towardes his Journey beyond the seas about the Saturday following.

☞ 13] He protesteth upon his salvation that he knoweth not what conference was betwene the l. Pageot and Charles at that tyme: but suer he is that he saw a Will written in Parchement which was sealed there at his being at Petworthe.

14] He never had conference with ffra: Throckmorton about [*sic for above*] 4 tymes in his lief, and those 4 tymes conference amounted not to one quarter of an hower in the whole.

☞ 15] He confesseth that the night before Throkmorton's apprehension, Throkmorton was with his l. to talke with him about the buyeng of a peece of Lande for Mr. Sheldon as he supposethe.

16] After his l. knew that Ch: Pa: was com, his l. appointed him to be brought to his l. by Wicliffe: and saithe that after Robotham was com from beyond the Sea, he caused both Robotham and Wicliffe to attend him: but doth not knowe what is now becom of Robotham, neither could he euer heare of him, what becam of him after his departure from his l. [*Margin*—? co. Wc ?].

17] He denyeth that euer he told the Earle of Arundell of the speache said to have ben used by Mr Secretary against his l. and the Earle of Arundel, nor ever heard of any such speaches before. [*In margin*—con. E. of Ar:]

18] He saithe the Earle of Arundell was better hable to direct him then he the Earle in all things, and that wisdom and sufficiencie goeth not by yeres.

19] He never sent any other message to the E. of Arundell by Grene then ordenary commendacions: and denyeth that he sent any message to the E. that he should take heed of himselfe; but uppon better

* According to the indictment of Shelley (*4th Report of Deputy Keeper*, p. 275), Paget arrived at Petworth on the 7th September, which was a Friday.

remembrance, he saith that he did once send him word that he should be warey of his dealings.

20] He never sent the E. of Ar: word of Charles Pagets being in the Realme when he was last here.

21] He knoweth not the cause of Ch: Pagets coming over, to have ben for furder purposes that his l. hathe alreadie declared: and the letter that he wrate to his l. was signed with the letters P. and C. and therefore he could not tell who it was that signed the lre, until he had sent his man into the toune to see who it was that wrate the letter.

22] Saythe that he will not offend her Ma^ts^ lawes for Relligion.

23] He saithe that Charles Pagett was in his l. howse from the Lodge during his abode there: about 4 tymes and was at the lodge with him 2. [times] [*Margin*—contra.]

☞ 24] He cannot tell how Charles was conveyed awaye to the Sea side from the lodge, but trewe it is that he gave order to wicliffe to see him provided of horses when he wold departe.

☞ 25] There has passed no intelligence betweene his l. and the E. of Arundell in any other sorte then is declared: but confesseth that the E. in passing by upon Tower Hyll would now and then look upp to his prisonn, and make signs to him with his hatte, and denieth that he ever received any letter from the E. sithens this examinate's imprisonment.

☞ 26] He saith that there never passed aboue 3. or 4. messages between his l. and the E. of Ar: during the tyme of his l. imprisonment and that always by the means of Giles Green his l. servant.

☞ 27] He had in his l. hand 3 quarters of a yere 30,000li of money of the l. Pagetts, which he had [? prepared] as his bancke [provided *cancelled*] for his maintenance beyond the seas, and so long he staied the going awaye of the l. Pagett who wold have departed so long before, if he had not staied the l. Pageot.

28] He never had any intelligence or letters from D. Allen beyond the seas nor doth know him.

29] He received no letters from the Scottishe Queen sithence within the tyme limited in the interrogatories.

30] He never received lettor message or token from Tho. Morgan beyond the seas nor hath any intelligence with him.

31] He swereth by his faith, and as he is a gent, he never received any letter from the E. of Arundell sithens his commitment or any written by the E. of A. at the tyme of his departure.

iv.

11° *Maii*, 1585 *Edw: Ateslow, D. of Phisick, examined before the L. Chancellor, Mr. Vicechamberlain, Sir Water Mildmay: & cet.*

1] He swereth as God shall save his Soule, that he was never made aqueynted with any intelligence that passed betweene the E. of Arundel and Do: Allen, nor the E. ever talked with him of Doctor Allen. [*Margin*—contra.]

2] He never knewe that ye Earl ever had any disposition to attempt anything for the advancement of the Catholike popishe Religion nor was ever made acqueynted with any such thing. [*Margin*—contra.]

3] He never saied to the E. of Arundell that the E. of Northumberland had a disposition, if he were at libertie, to goe away beyonde the Seas. [*Margin*—cont:]

4] He never dreamed nor ever heard that Norffolk should be the fittest place for the Earl of Arundel landing with forces for an invasion here upon the realme, neither doth he thinke that the Earl had any such intente or porpose, but Judged that he went only for the mater of his conscience, and saftie of his lief.

5] He knoweth not of any endes or porposes of removing the Queene or altering relligion, or the State, nor was ever any medler or dealer in so highe maters, nor had any tyme in respect of his continual practise to intende suche causes.

6] He never received letter, message or token from doctor Allen: he doth know him well, but hath not seen him th^e^is xx yeres.

7] He knoweth not Hall nor Bridgs priests. [*Margin*—contra.]

8] He never said to the Earl of Arundell in the tyme of Parris'* trouble, that he shold looke to himself, for his tourne was next: which he most deeplie protesteth to be trewe. [*Margin*—cont:]

9] He never had intelligence with the Scottishe Quene in his lief.

10] He hath receaved no letters from Tho. Morgan beyond the Seas this 12 yeares paste.

11] He never had word or incling that the Erle of Arundell had intelligence with the Scottish Quene, or with Tho. Morgan.

v.

Egerton, 2074, f. 50, is a hastily-written note by Wylkes entitled, "16 May, 1585, Memorial of things to be presently ordered and done." It begins:—"Too send for John Neve too the tower. Too send for byrd of the Chapell, and that his house be diligentlye, searched." (For William Byrd, "a Father of Music," see *D.N.B.*; also Morris, *Troubles*, ii, 143.) "Too have Rich. Hovell als Smyth sent up. *Item* to consider how to procede with Baker of Walton. *Item* too prepare examinacions for the Earle of Arundell and the l. William againste the morrow/ Too examine Atslow upon the lre of late sent from Mr. Secretary. . . . Too consider what is to be done with the Lady Margaret. Too consider what gents [*i.e.*, Gentlemen Warders] should be appointed too my L. Northumberland & likewise the L. William . . ."

From note 5 we see that the earl was to be again examined, but we know nothing more. Lord William's examination of the 17th of May is extant, and follows. The examination of Atslow is wanting, but Walsingham's letter to Wylkes of the *next day*, 17 May, says:—"Sir, the letter dyrected unto D. Atslow was fownde in a packet of letters sent from the B. of Glasco unto the Scot. Q., which thing I desire may be only known unto the [Commissioners *cancelled*] L. Hunsdon, Mr. Vicechamberlain and Sr Walter Myldmay. For sollycyting of the despatch of the instructyons for the master masons, I mean to send my brother Beale the course." The "letter directed to D. Atslow" is not extant, but it must have come from the improvident Morgan. For he, in an intercepted letter of 19 April to Mary, says that he has *desired Atslow* to join Langhorne in arranging correspondence for her (*Hatfield Calendar* iii., p. 97). This points to just such a letter as Walsingham here describes. Next, f. 54, comes:—

* William Parry was executed, 2 March 1585, *See D.N.B.* and *Month*, July, 1902.

17° *Maii. The l. William Howard reexamined by ye L. Hunsdon & Mr. Vicechamberlain.*

1] He saith that about a year sithence the E. his brother made this examinate privie of his purpose to go over: and that the reason that moved this examinate to determine also to goe over was to ridd him selfe of certen discontentments he had here.

2] The E. did not aquaynt this examinate either of the cause of his going, or to what personnes or places he meant to goe, & that he wondered why the E. should goe over.

3] He denieth that he brought the E. aquainted with Bridgs but he hath told the E. that he knew Bridgs.

4] He was not at the consultation that by the E. is confessed and said to have passed between the E. Bridgs and this ex^te, and denieth that he had any conference or privitie with the E. his brother and Bridgs touching the sending to D. Allen.

5] There passed not any talke between this examinate and Hall at suche tyme as the E. and he were at Grenstead.

6] He denieth any knowledge of the E. departure at that tyme that he went away, for if he had knowen it he would not have gone away the monday before out of the town as he did.

7] He never heard of any intelligence to have passed betweene the E. his brother and Thomas Morgan.

8] He never offered him self to be at the devotion of Do. Allen, nor oweth duetie or allegiance to any but to the Q. Majestie and her counsaile.

9] He denieth that he ever saw or receaved any letter from Hall from beyond the Sea, nor from any place here within the Realme or from Bridgs.

vi.

This is a clerk's fair copy, written in parallel columns. Here the second column is printed in italic. Numbers inserted at the ends of paragraphs refer to previous examinations. The quotations here do not fully or literally correspond with what has preceded; but there may have been more examinations, and we might find that some answers had more extensive meanings, if we knew the questions proposed.

Contrarieties between the confessions of the E. of Arundell and The E. of Northumberland, The l. William, D. Ateslow.

i] Matters charged by the E. of Arundell upon the Erle of Northumberland.

1. That the E. of Northumb: declared unto him that Mr Secret: sholde saie that her Matie shold neuer be safe untill his l. and the E. of Northumb: were shutte up.

The E. of Northumb. denieth that euer he told the E. of Arundell heerof or euer hard of those speeches. [iii, 17.]

2. That the Erle of Northumb. sent him worde by Greene, that he sholde beware how he caried himselfe sithe he was become a Catholique.

The E. of Northumb: confesseth that he did once aduise the Erle to be wary in his doings: but denieth the maner of the speeches or that he knew him to be a Catholique. [iii, 19.]

3. Vppon knowlege had of theis wordes his l. consulted with the E. of Northumb. and the l. William and resolued to departe the Realme.

The E. of Northumb. denieth this consultation. [? iii, 25.]

ii] Charged vppon the l. William Howard.

1. The E. of Arundell and the l. William consulted with Bridges to acquaint him with their resolution to flye the Realme.

The l. William Howard denieth this consultation, confesseth his purposes to goe over &c. knoweth not of what profession Bridges is. [ii, 3 & 4; v, 4.

2] They sent Bridges to doctor Allen to praie him to appoint them how they might be by him employed and that they wold be readie to enterprise anie thing that he shold set doun and appoint.

The l. William denieth all knowledge of anie intelligence between D. Allen and the E. his brother. [v, 4.]

3] The l. William brought him first acquainted with Bridges.

The l. William denieth this pointe. [v, 3.]

iii] Charged upon D. Ateslow.

1] D. Ateslow put the E. in feare vppon the apprehension of Parrey that his turne was next, which made him hasten his departure.

D. Ateslow denieth with deep protestations. [iv, 8.]

2] D. Ateslow in conference with the Erle wished that there were some other Noble men with him beyond the seas and tolde him that the E. of Oxford [*sic*] had a purpose to goe over.

D. Ateslow denieth.

3] The E. acquainted D. Ateslow that he had written to D. Allen and tolde Ateslow that he wold be readie to attempt anie thing for the Catholique cause.

D. Ateslow denieth—denieth that he knew either Hall or Bridges the Priests. [iv, 1, 2, 7.]

4] He declared to the E. that he thought, if the E. of Northumberland were at libertie, he wold also goe beyond the seas.

D. Ateslow denieth this pointe flatlye. [iv, 3.]

As *Egerton MS.*, 2074 is not fully catalogued, some notice of the other papers in it—which illustrate our subject—may be here subjoined. The volume opens with several examinations regarding Braye, ff. 2, 3, 7, 19, 21, 20 April to 9 May. He had called at the house above Portsmouth of Anthony Fortescue on the 14th of April between 6 and 7 in the evening, and Fortescue's servant Baker had guided him, with another gentleman, over Portsdown into Portsea, and we may assume that they were going to prepare for the Earl's departure. On Saturday following, the 17th, Fortescue heard of the Earl being taken. At ff. 9, 11, 16, papers connected with the search in Tylney's house within St. James's. Tylney was a connection of the Earl, who used to call on him frequently; but nothing suspicious could now be discovered. About Howard House (the Charterhouse) we have list of 46 servants who were discharged 14 May, some going to "my Lady's house at Romford," &c. (ff. 44, 46, 47). There are also numerous bonds taken of Howard and Percy followers to come up and give evidence when called for. Of Lord Henry Howard there are three papers (ff. 23, 25, 72): "We found nothing to condemn him justly," is the comment of his examiners, who are evidently uneasy as to whether their proceedings will please the court.

After f. 55, 18 May, the attention of the inquisitors is concentrated on the Earl of Northumberland. At f. 79 there are these undated memoranda:—"*The Earl to be drawn to confess the truth.* His concealments of the truth to be considered . . . the parties against him to be confronted. Before he be dealt with some meaner persons to be re-examined. And these to be drawn, by the presence of some of the commissioners and the show of the Rack. Those to be borne in hand that my L. has confessed, *without shewing them what, in certainty.* And the L. to be charged with what they confess, and to be borne in hand that they have confessed what is likely, probable."

Where such orders—both violent and dishonest—are officially issued, it is easy to see what terrible abuses of intimidation will follow, especially when subordinates are egged on with praises from the Queen, as is here done. Thus Hatton writes to Wylkes, f. 55, of the "great service" you may do "if you can win any good guess from his [Percy's] hands" about a letter lately discovered. Two days later, he adds, "the arrest of Thomas Somerset [who afterwards turned out to be harmless] . . . will content the Queen muche. Would God the others we want were in his case."

One of the meaner persons to be "drawn" by "the shew of the raek" and "the presence of commissioners" was Mr. William Shelley. He was examined June 3, 10, 12, 16 (though his words are lost, there is a government summary of them here, f. 73).

He was so depressed by this treatment that he lost his balance. Knowing though he did that the persecutors would make the most unfair use of the information, he sent word to the Earl that he must, or rather that he had, in effect communicated the dark sayings he had heard from Charles Paget viz, that Northumberland was "a forward man" for Mary Stuart's liberation and would "be assistant" when the time came.

The Earl, who had already given signs of bending (*see* his confession, iii, 22), broke under the unfair pressure with which, as we now see, he was deliberately and unfairly strained, and there seems reason to fear that his death, which immediately followed, was self-inflicted.

On Sunday, 20 June, a special keeper was sent in to him by Hatton. Near midnight a report was heard, and the Earl was found shot through the heart.

Next day Hatton, having seen the Queen, sent to Wylkes a note, preserved at f. 64, which, being written "in haste," has been erroneously dated the 20th. "Her Majesty hath willed me to direct you," it begins, "to attend the Judges, with Mr. Attorney and Mr. Solicitor, and that you should earnestly call to your remembrance the first examinations of the earl of Northumberland, whereat those other gents were absent. Besides, it pleaseth her to remember in Throckmorton's case you did travail both honestly and diligently, and may remember such parts thereof, which Mr. Attorney & Mr. Solycitor have not heard of, and therefore she would you should speed yourself presently to them, and to shew these letters of her majesty's pleasure herein, to their satisfaction."

Thus do we see the Star Chamber official in Elizabeth's day, first presiding over the extortion of confessions by professedly violent and dishonest means. Then we also see him, armed with a letter of "royal pleasure," going to coach the law officers, and even the Judges, as to the case of the man who has fallen a victim to his tyranny.

The coroner's inquest, held on Monday, the 21st, found, of course, that the Earl "feloniously and voluntarily himself did kill and murther," and on the 23rd, in the court of the Star Chamber, a still more exalted tribunal repeated the verdict.

Here were "the Judges, the Attorney, and the Solicitor," whom Wylkes had coached, and who all now spoke according to their briefs, while Hatton,

against whom suspicions were naturally the strongest, summed up. Though it is impossible to consider the proceedings of a body so partial as satisfactory, they are still very interesting and have been widely circulated. *The True and Summarie Report of the Earl of Northumberland's Treasons*, Baker, 1585, has been reprinted both in Holinshed's *Chronicle*, vi, 602 to 616, as also in *Somers' Tracts*, i.

Wylkes' dossier, f. 83, also enables us to go back to the brief (so to say) given to Popham for his diatribe against Catholics, delivered during this trial and reported in Holinshed, p. 607. This brief will be printed in full below to illustrate a precisely similar attack made during the Earl of Arundel's trial.

To conclude our notice of the dossier, we have still to note some valuable Interrogations and Notes for the examination of William Shelley, ff. 76, 77; and a long paper, 11 paragraphs, f. 73, on his "case." dated November, but his trial was not heard till 12 February, 1586. There is a report of this Lansdowne MSS 45, no. 74.

At the end of this volume, ff. 90 to 127, there are a number of interesting letters and scraps found in the Earl of Northumberland's cell after his death. Letters of his wife, of his son's tutor, of the managers of his stud horses, bills, notes, &c.

Chronology—20. The Earl of Northumberland.

The life and death of Henry Percy, Earl of Northumberland, offers strong contrasts as well as striking parallels with the fortunes of Philip Howard.

Broadly speaking both stood for the old order and the old Church. Still, both were also not only ready to accept Elizabeth's settlement, but both began with enthusiasm on that side. Again, neither suffered for any positive offence committed: neither had worked the least harm to the established government. Both fell victims to the extreme jealousy of a tyrannical bureaucracy.

Thus far our documents are numerous and clear, but they are not sufficiently detailed to make certain of Elizabeth's personal action in the matter. She is, indeed, always seen on the side of her Ministers, ever encouraging and urging them in their evil courses. She is never merciful, never a restraint; as hypocritical as they. But whether she is leading them, or they her, our glimpses are too brief to determine.

1. When we come to details the differences between the two Earls are numerous. Percy began with far greater activity on Elizabeth's side than Philip Howard had ever had a chance of showing. The Northern Earl had been at first a captain under Mary Tudor against the aggressive attacks of the Franco-Scottish arms, and under Elizabeth he continued the struggle as if the two causes were the same. Henry Percy was one of the most effective in the English army which caused the downfall of Mary Stuart's Government in 1559 and the installation of the Protestant party in power, and thereby settled the Reformation in an irreversible superiority.

Philip Howard had done Elizabeth no such service. He had, however, courted her with effusion, and, it seems, served her to real purpose in the matter of the French match. He had also kept entirely clear of real offence.

2. 1569–72. In and after the Northern Rising, Sir Henry Percy again played an inconsistent part. He appeared in arms on the Protestant side (as did very many other Catholics), but did not escape the suspicions of the Protestant party. He was eventually fined 5,000 marks.

3. September, 1583. The mission of Charles Paget. The ultimate object of this was to ascertain the possibility of a dynastic revolution, to place Mary on the throne, with aid from France and Spain. There is no evidence to show

what the Earl of Northumberland actually said or did at this time, when Paget came and saw him at Petworth for several days in September (Holinshed, iv, 608). After his return to France Persons was informed that Paget had failed to secure the Earl's support for the plan of the Catholic exiles (*Chronology*, 13, also p. 80). But to Shelley, Paget is reported to have said in general terms, that the Earl would do what he could for her. The Earl's explanation of the visit was that Paget was transacting money matters and family business (*above*, p. 121 . . ., Holinshed, iv, 609). The matter remains obscure. When the Earl was sent to the Tower before the end of the year, nothing definite was known against him.

4. Mr. William Shelley of Michelgrove, which is near Arundel and not far from Petworth, had also been seen by Paget, just before he left England. Paget declared that their conversation was quite colourless (*Scottish Calendar*, viii, p. 29), though Shelley, a nervous man, was afterwards afraid about various dark hints which had been uttered (Holinshed, *ibid*). Northumberland shortly afterwards sent for Shelley, and got him to arrange for the flight of Lord Paget, which was done. Shelley himself does not seem to have been arrested till November, 1584 (*Domestic Calendar*, p. 212), when he was much dejected.

5. After Arundel's examinations in the Tower (early May) Walsingham, for some unknown reason, resolved to put further pressure on Northumberland and Shelley. We read amongst his ominous notes " 27 May, The Earl of Northumberland to remain as he doth, untill William Shelley be examined. To be examined, W. Shelley " (C.R.S., ii, 238).

6. Shelley was examined accordingly, and afterwards the Earl sent him a secret message asking him to keep silence, and confess nothing further. This made Shelley, who appears to have resented the insistence of a man of rank, more nervous still, and he sent back word that he could not hold out, being in danger of torture ; and urged the Earl to confess all. Again the Earl sent (6 June) asking Shelley to set down what he had confessed, and this, too, Shelley did. (Holinshed, *ibid.*) It would seem that by overgreat anxiety for safety, both prisoners were injuring their causes, for in reality Shelley knew nothing important, no particulars, only generalities, which were no great secrets.

7. For what followed we have only the very untrustworthy government report. This states that the Earl, believing that Shelley would appear against him, was now overcome with melancholy, and eventually committed suicide (20 June, 1585), and his own story died with him. There is no doubt, however, that many believed at the time, that he had been murdered. The government account confesses this (Holinshed, 604) and Raleigh assumes it as notorious (Murdin, *State Papers*, 811).

8. Still, we cannot yet say that these popular misgivings rested on evidence. They may have arisen from the distrust which always attends the cruelties of tyrants. Men knew that the prisoner had been harshly used, and their sympathy was on his side. But this does not disperse all doubts.

If we assume for the moment that he did kill himself, the cruelty of the enemies surrounding him might be quite enough to explain it, even if we think that the Earl steered clear of grave offence in the matter of Charles Paget. We know that the examiners deliberately exaggerated the evidence against him ; he knew that his story was not, and would never be believed by them, that he would meet no mercy. Under such circumstances desperation might quite possibly follow.

Whether Northumberland's denials about Paget will quite hold is another moot point, the probabilities being at present in his favour. But in any case De Fonblanque, the Earl's biographer, though he urges

somewhat too strongly the argument derivable from the Earl's readiness to submit to inquiry, does not go too far when he says that the Earl "must in common justice be acquitted of any share in the project of foreign invasion, and in any of the supposed plots against the life of Elizabeth."—*Annals of the House of Percy*, 1887, ii, 164 to 166.

If then Northumberland did take his own life, one may partially excuse him, on the score of the intense depression into which the barbarous severity of the government had cast him. On this point the contrast with the Earl of Arundel is entirely in favour of the latter.

XXIX.

WALSINGHAM ON FURTHER PROCEEDINGS AGAINST THE EARL OF ARUNDEL AND OTHERS.

24 June, 1585.

No sooner was the Earl of Northumberland dead (20 June) and the Government *Apologia* published (23 June), than Walsingham next day plots out this new plan of campaign against his victims. His bloodthirsty temper is everywhere apparent, especially in such phrases as "a principal man and yet not touched capitally" about Dr. Atslow. The "libell" for which he now proposed Atslow should be tried, appears to have been Allen's admirable answer to Lord Burghley's attack on the Martyrs, entitled *A Defence of English Justice*. No. xxxiv *below* (*Domestic Elizabeth*, clxxxvi, n. 61), says in regard to this: "Yf he [Atslow] have written or published the libel, it is treason." In effect the priest Robert Alfield was martyred a week or two later (7 July) precisely for this reason (*C.R.S.*, v, pp. 112 to 120).

Again, Giles Grene is to be made "by torture (if he will not confess otherwise) to discover his knowledge of the *treasons*" of the Earl of Arundel. In other words Grene is to be tortured into charging Arundel with treason. Let us hope that Elizabeth refused to give leave for this!

It is instructive to see how every detail is to be decided by the royal behest. There is no appeal to custom, or justice in our sense of the word. That is justice and law, as here invoked in 4, 6, are merely methods of attaining the royal will with greater solemnity. All these persons are untried, but no consideration whatever is paid to the question of their possible innocence, or to their rights. The only question is what the Queen wants to have done in their regard. With so bloodthirsty a minister at head to suggest sentences, their fortune certainly deserves compassion.

"What shall be further done?" asks Walsingham, in Section 1, "with the Earl of Arundel, etc." This question is, of course, for Elizabeth to answer; but we gather from the other proposals (especially No. 3) that Walsingham's object was "to touch" as many others as he could, of Philip's friends, and so to obtain more accusations about "treasons now in train." The original is in Mylles's hand. R.O. *Domestic Elizabeth*, clxxix, n. 35, f. 82.

Maters to be had in considerãon, touching the furder proceding with the E. of Arundel and other personnes in the Tower.

Bicause it is likelie that her Majestie, and her Counsaille, shalbe presentlie muche occupied in the great cause for the Lowe Countreys,* so as there wilbe but litle tyme had to prosecute the discouverie of the

* The cause of the Low Countries was approaching a climax, as the Duke of Parma gradually recovered Philip II's heritage there. It was a "great cause" because the success of the Reformation depended so much upon it. Five days later the Protestant envoys were to appear on bended knees before the Queen, while M. Josse de Menin made her a speech, printed in Holinshed (1808), p. 616.

treasons now in trayne* : May it therefore please her Highnes, that considerãon be had :

1]. first what shalbe furder† don withe the Earle of Arundell and the L. Willm., and suche other persones as are and may be touched concerning them.

2]. It may therefore seame expedient that Mr. Shelley be first examined, how and how muche of his first examãons he delivered to Giles Grene,‡ and to declare his knowledge or opinion how farre Giles Grene was aquaynted with the E. of Northumb : treasons. [*In margin* : Shelley already examined upon this point.]

3]. That Grene having ben often employed betwene the EE. of Northumb : and Arundell in conveying of messages & intelligences may by torture (if he will not confesse otherwise) be made to discover his knowledge in bothe their treasons.§

4]. What shall be furder don with Petro Çubiare,‖ and whether her Majestie will not thinke it fitte to have him proceded with by her laws.

5]. Tho. Somerset¶ to be furder delt withall, uppon viewe of his letters and papers, said to be remayning with the L. Hunsdon.

6]. Doctor Ateslowe** a principall man and yet not touched capitally, whether her Majestie wille not have some other corse held with him by way of Justice, for the libell.

7]. There may be also had in considerãon, what shalbe don with the E. of Arundelles servants comitted abroade to diverse persons. [*In*

* "The treasons now in train." It was one of Walsingham's fixed principles that plots against Elizabeth were always "in train." If one tortured Catholics enough, the plots would come out ; and it was always justice to murder priests, because they must be guilty.

† "What shall be further done ?" The subsequent proposals indicate the policy which Walsingham wished to adopt.

‡ We do not meet the name of Giles Grene in our prison lists. In the published story about the Earl of Northumberland, the messenger to whom Shelley recounted his confessions was James Price (Holinshed, 611). Shelley is now to be pressed to charge both Percy and Grene with "treason."

§ "Both their treasons." Here we have the same ideas as in note * above, but carried to the most objectionable lengths. Torture has always been contrary to English Law, even Magna Carta implicitly condemns it. But the Tudor lawyers declared it part of the royal prerogative to use torture in the Tower. Blackstone says that the rack was introduced into the Tower in the reign of Henry VI, but that the judges unanimously condemned its use in the case of Felton (*Commentaries*, iv, 326).

‖ Pedro de Çubiare (Zubiaur, Englished into Sebvro, or Seabarrow in the *Tower Lists*) was a merchant of Seville, who came over to England in 1580 to endeavour to obtain a restoration of goods carried off by English pirates. At the time of the assassination of the Prince of Orange, June, 1584, he was arrested, and various charges proferred against him (*see below*, p. 137).

Eventually (in 1586) he was sent to the Prince of Parma to be exchanged with some English prisoner. Perhaps the same person was employed later in one of the Spanish attempts to create a diversion in Ireland against English piratical attacks at sea (*Spanish Calendars*, 1580, &c., and 1587, &c. He is here called Zubiaur).

¶ The charges against Somerset are seen in *Dom. Eliz.*, clxxxvi, 61, *below*, p. 136. He was alleged to have corresponded with Morgan.

** An account of Dr. Edward Atslow will be found in *D.N.B.* He is stated by Morgan to have been "racked twice almost to death" in order to make him charge the Earl of Arundel after his attempted escape. Later on he is said to have cured the Earl of Northumberland when ill from poisoning. (*Scottish Calendars*, viii, 17, 29). For the charges against him *see below*, p. 136.

Margin: Carell, Dix, Townesend, Walgrave, Sherborne, Dateman (*sic* ? Bateman), Topcliffe.]*

8]. To consider of the case of the Lieuteñt of the Tower and what kynde of punishement were fitte to be inflicted uppon suche of the Lieutents servants as were discouvered to have ben conveyers of intelligence betwene the E. dead and others, and so of the rest of his servants and others committed.

9]. What order her Majestie will have taken with the Lady Margaret.†

10]. What shalbe done with davis, Mr. Shelleyes man.‡

11]. To remember that some other be appointyd to attende on the Earle of Arundell in Mr. Mackwilliam's plạce, &c.

Endorsed.—24 Junii, 1585. Notes of maters to be specialy had in consideration by her Majesty and her Counsail for maters of the Tower.

XXX.

CATHOLIC PRISONERS IN THE TOWER.

s.d. [? Summer of 1585].

R.O., *Domestic Elizabeth*, clxxix., n. 62. This note is evidently an enclosure in some more formal letter from Sir Owen Hopton, Lieutenant of the Tower. The little word "such" in the title, is more important than may at first appear. But if the reader will look over the identifications given in the notes, he will see that these are all confined in consequence of Walsingham's policy of active persecution against Mary Stuart and the old religion. This, then, is a list of the Earl's Catholic fellow prisoners.

The date must be decided partly by the absence of the Earl of Northumberland (died 20 June), partly by comparison with the "Tower lists" *C.R.S.* iii, 20, &c. See also the prison lists of November, 1586 in *C.R.S.*, ii, 263.

Nine of the prisoners have been mentioned already. Of the rest one is a Bishop and four are priests; seven at least were arrested for carrying letters and the like to Catholics abroad. One or two are unknown, the lady had been condemned for one of Walsingham's sham plots, and then respited.

The meaning of the marginal letters, *a*, *b*, *o* is not known.

The names of all such prisoners as ar in my custodie—

Thearle of Arundell, by the counsailes lre.
The lord Will[m] Howarde, by the counsails lre.
Thomas Somerset, Esq., by the counsails lre.
Doct[r] Atslowe, by the counsailes lre.
William Braye, by the counsailes lre.
Burlacie, by your honours lre.
o Peter Sebeaveo, Spaniard, by your honours letter.
Christopher Bagshawe,§ by Mr. Vize-Chamberlaynes lre.

* These names are written one under another, Topcliffe lowest. It might mean that they were put under Topcliffe's charge.

† Lady Margaret, Philip's half-sister, married (1580) to Robert Sackville, future Earl of Dorset.

‡ William Davies, of Patchyng, had been used by Shelley to manage Charles Paget's escape. He lingered "on suspicion" in the Tower till after Earl Philip's troubles there. He is then marked "to have favour," and was transferred to the Gatehouse prison (*C.R.S.*, ii, 282, 284), and there we lose sight of him.

§ Christopher Bagshaw, priest, the future leader of the Appellant clergy. He had left Rheims College 27 May, 1585, and had been arrested on landing with letters and cipher for Charles Paget upon him.

George Arington,* by the Counsailes letter.
William Davis, by the counsailes lre.
Thomas Belson,† by your honours letter.
o Margarett Somervyle,‡ gentlewoman, by the Counsailes lre.
Richard Craighe,§ Irishe Busshoppe, by the Counsaile's lre.
John Prestall,‖ gent, by the counsailes lre.
William Shelley, esq., by your honours lre.
a Thomas Briscoe,¶ by your honours lre.
o William Price,** by your honours lre
b William Cromblehome,†† by your honours lre } laymen never examined sithens their coming.
Thomas Baldwin,‡‡ by your honours lre.
o Patricke Addie,§§ by your honours lre.
Willm Criton,‖‖ by your honours lre.

* George Errington, martyr in 1596. The examination 20 August 1585 upon his arrest is printed, *C.R.S.*, v, 125. At his release (3 February, 1587) he was described as "of Ellington in Northumberland" (*Dom. Eliz.*, ccv, 13). He was M.A. of Trinity College, Oxford, 1572–1579, *Reg. Oxon* II, ii 55.

† Thomas Belson, of Brill, Oxfordshire, martyr in 1589. Had been in the Tower 24 June, 1585, and was, 6 November, 1586, to be released under bond to leave the realm.

‡ Margaret Somerville is more fully described (*C.R.S.*, ii, 239, 27 May, 1585) as "Margaret Somerville, widow, charged to be privie with her husband's intent." She was the wife of John Somerville, of Edreston, and daughter of Edward Arden, of Park Hall, Curdworth, Warwickshire, High Sheriff of the county, and a distant relative of Shakespeare's mother. Her husband, man of a weak mind, declared in an inn that the Queen was a serpent and that he would shoot her (25 October, 1583) with the eventual result that Somerville committed suicide and Arden was executed (20 December), while Hugh Hall their priest (*see below*) and Mrs. Somerville were condemned to death, 7 December, 1583 (*Dom. Eliz.*, clxiii, *passim*). With the latter there were also tried Somerville's mother, Mrs. Mary Arden, and his two sisters Margaret and Elizabeth. Thus there were two Margaret Somervilles in the case; but the lady mentioned here was certainly the wife. The case, which was one of great barbarity, is usually ascribed to Leicester's evil influence.

§ Richard Creaghe, Archbishop of Armagh, and martyr in prison. He is believed to have been poisoned through cheese, by Robert Poley, the *agent provocateur*; Morris, *Sir Amias Poulet*, p. 386. No higher praise could be given him than was done in the official prison list of 27 May, "a dangerous man to be among the Irish for the reverence that is by that nation bore unto him, and therefore fit to be continued in prison." *C.R.S.*, ii, 238.

‖ John Prestall, no exact details of the charges against him appear, but he was one of the senior prisoners in the Tower.

¶ Thomas Briscoe, or Bruscoe, a companion of Father Campion; when eventually released, he took a year or two to recover health, then went abroad again, was ordained priest, 1594, and returned a missioner. *C.R.S.*, xiv, 13.

** William Price is said, in the prison list of 27 May, to be charged with "matters of religion, and dealing with Jesuits," *C.R.S.*, ii, 239. In [Hart's] *Diarium Turris*, printed in Sander's *de Schismate* (1610), pp. 360, 361, he is called Aprice; sent to the Tower 27 August, 1584, and repeatedly tortured.

†† William Cromblehome, though "never examined," had been frequently tortured, *Diarium Turris* (*as above*), pp. 360, 361. He had been sent to the Tower in company with Francis Ardern. (*Ibid.*)

‡‡ Thomas Baldwin "charged with practising for the Scottish Queen," *ibid.*

§§ Patrick Addie, Scotchman, priest and chaplain to the Bishop of Ross. *See Diarium Turris*, 361, for his tortures.

‖‖ William Crichton, S.J., Scotchman. *See D.N.B.*, and Foley.

o Nicholas Rosecaricke,* by the Counsaile's lre.
o Hewgh Hall,† by the Counsails lre.
o Thomas Laighton,‡ by your honours lre.

XXXI.

EXAMINATION OF JOHN ARUNDELL OF QUARNOCK.

1 July, 1585.

R.O., *Domestic Elizabeth*, clxxx, n. 2. An abstract only is here printed of the examination apparently taken on the bare suspicion that the large sum of money which Arundell of Quarnock took with him to London must have been for some nefarious assistance to the Earl of Arundel or to the Earl of Northumberland.

The examination of John Arundell of Quarnack in the Countye of Cornwall taken upon articles ministered unto him the firste daye of Julye the xxvijth yeare of her Ma^ts^ Raigne before the Rev. Father in God John Bishop of Exeter, and the Mayor of the city of Exceter.

1. He rode to London out of Cornwall between Michaelmas and Christmas, with 12 or 15 servants attending, and they carried between £4,000 and £5,000.

2. Money was raised from his livings : 1. For safety ; 2. To have it ready to bestow.

3. He stayed in London till Lent, lodging at Mr. Blans her Ma^ts^ Skinner in Paul's Churchyard. He kept the money there and left it there. [But see 11. The servant came on with it after.]

4. His acquaintances came to him, and he to them ; he had no chamber fellows.

5. Since he came from Cornwall last michaelmas, he had not conference with the Earl of Northumberland, nor with his servants, nor by any messenger : nor yet with the Earl of Arundel, except by ordinary salutations since michaelmas : nor conference with any servant, nor ever used 20 words with them all his life, by writing, cipher or otherwise.

6. Was never made acquainted with the Earl's intent to pass the seas.

7. He never understood the actions of the Earl of Arundell, or Earl of Northumberland here or beyond the seas.

8. Within these two or three years he procured to be made sundry suits of very fair apparrell for the use of his own body and for no other persons, they remain at his lodging.

9. He thinks the keys of his Porte Manteaus are there.

10. He left London with one servant, two other servants remained behind.

11. One servant was enough, and saved charges. He conveyed the money downwards secretly, was at Exeter three days, staying the coming of his servant with the money.

12. He brought the said money, for the same reasons as in 2 above.

13. He does not remember that any one had money from him, but a hundred pounds was sequestered at Exeter.

14. He has never received the holy communion at any time, because he has the most part of his time been unquieted with worldly cares and troubles,

* Nicholas Roscarrock, probably of Cornwall, had been a companion of Campion, Bridgewater's *Concertatio*, 1588, p. 408. In the Recusant Roll of 1593, he is described as "of St. Clement Danes," but holding lands in Devonshire. *C.R.S.*, xviii, p. 35. (*See* p. 348.)

† Hugh Hall, priest. *See* note ‡ p. 132.

‡ Thomas Laiton was "charged with conveying gentlemen's children beyond the seas," and he was then (November, 1586) "to be banyshed," *C.R.S.*, ii, 264. *Diarium Turris*, p. 360.

and not for any misliking of the administering appointed by the lawes now in force.

15. As to the letter sent . . . sent unto him by John T. . . . (MS. perished) . . . . delivered, nor at what time he received the same.

16. He does not remember the exact sums he meant to levy, but they were to be spent on himself.

17. He never knew any Jesuit or Priest, nor heard mass except part of a service at Antwerp, where Mounsieur was then.

18. He never had conference with any from beyond seas, or talk with any one in secret or practice to mislike her Ma^tys^ government.

Signed by the Bishop and Mayor of Exeter, not by Arundell.

CHRONOLOGY—21. THE MONEY SEIZED WITH THE EARL.

July, 1585. The recorder of London, William Fleetwood, sending "This 7th of Julie, 1585" his report of the proceedings at the last sessions at Newgate to Lord Burghley, adds at the end of his letter after the signature, "At the ending of this letter I received another, the which I will aunswer owt of hand." He then briefly recounts the business "upon Tuesdaie and Weddenday." On the next sheet of the original, *Lansd.* MS. 44, n. 38, f. 114 he continues:

ARCHANA.

There was one that is called Mr. Abarrowe that was at the taking of the Erle of Arundell, and had gotten into his hands of his neare abowt 300 *l.* in gold. He was commanded to bring the same to the Lordes of the Starre Chamber. His man carried it after hym even to the Starre Chamber doore, and sodenly his man started away, and tooke a boate, past into Southwarke, devided the money, and there by my warrant was taken, and in effect all the money was had agayne. Mr. Abarrow, his master, was the loathest man in England to have his man touched for this offence.

The Recorder insisted on the indictment, and for felony as the money was not entrusted to the servant but only guarded by him in his master's presence. However that the case might not come to the Lords, the Recorder caused the Jury "to find the speciall matter, and so it resteth." This is already printed in Wright's *Queen Elizabeth and her Times* ii, 248.

On the 4 May, 1585, Mauvissiere de Castelnau had written to the King of France that the Earl had embarked "avecq la valleur de 20 mille escuz en argent." *Above*, p. 110.

XXXII.

THE COUNTESS OF ARUNDEL TO SIR FRANCIS WALSINGHAM.

15 August, 1585.

R.O., *Domestic Elizabeth*, clxxxi., n. 46, f. 165. Autograph. Mutilated; two thirds of each line torn off.

Good Master Secretary . . . to hir Maiesty, not onlye . . . highness, but also for the g . . . towards all those that wer . . . respectt then had of my miss . . . continuance of your frind . . . that by hir grasious favour . . . desire healthe, nor wish for . . . highness, which imboldeneth . . . disposition of body so incr . . . a spedy ende of my unfor . . . god is my wittness I though . . . yett the cause doth still re . . . of ease, if it be not by tak . . . profite if I be not in place . . .

Secretary to have this my . . . beholding unto you. Thus . . . further to trouble you at this . . .

Your very asured poor frind
Anne Arundell.

Addressed.—To the right honorable Sir Fraunces Walsingham Knight, principall Secretary to hir Maiestye.

Endorsed.—1585, 15 Aug. The Countesse of Arundle to have liberty to lye in some of hir husbande houses.

XXXIII.

EDWARD RISHTON'S ANNOUNCEMENT OF THE EARL'S IMPRISONMENT.

The latter half of 1585.

An extract from the *Liber tertius de Schismate Anglicano.* This is an addition by Edward Rishton to Nicholas Sander's well-known volume *De Schismate Anglicano,* first published by Rishton at Cologne in the latter half of 1585. The edition here used is that of 1628, in which it occurs at p. 330. *See* Gillow, and *English Historical Review,* January, 1891.

As will be seen below Elizabeth's professional advocates in the Star Chamber complained bitterly of the "false and slanderous reports" about the Earl's imprisonment published at home and "beyond the seas." Under such circumstances no book could be more in point than the *De Schismate.* No English Catholic publication has been more abused. Strype calls Sander, "A most proflicate fellow, a sworn enemy to his country," &c. Heylin calls him "Dr. Slander." Mason declares that in Sander's "libel," the number of lies may seem to vie with the number of lines." Finally Mr. Froude calls the book "the most venomous and successful of libels." Here then we are sure to find the most extreme of the "false and slanderous reports" of which the Queen complained.

The passage is pungent, but its chief sting lies no doubt in its truth. Except that sisters are mentioned in the plural, instead of in the singular number, one detects no error of fact.

p. 330. *In the margin,* Procerum Vexatio, with references to the Earl of Northumberland, Lord Paget, Charles Arundel. Then——

Quomodo autem iam pridem summum totius regni principem, Comitem Arundeliae, Ducis Norfolciæ (qui et ipse istorum cruentis manibus sublatus est) filium primogenitum ac heredem, e fuga propter solam conscientiam suscepta, reductum in carcere immaniter tractent, mendaciisque ac calumniis infament; omnesque ipsius charissimos fratres, sorores, cognatos, affines, innocentissimos homines, exagitent, dicere supersedebo.

This is Mr. David Lewis's translation (*Rise and Growth of the Anglican Schism,* 1877, p. 322).

I will not stop to describe the cruelty with which they have now for some time treated the most illustrious person in the whole kingdom, the Earl of Arundel, the eldest son and heir of the Duke of Norfolk, who has also been put to death by their hands stained in blood. The Earl had taken to flight solely to save his conscience, but they laid hands upon him and put him in prison. They dishonour his name by shameless lying, and harass all his brothers, his sisters and his kindred, who are perfectly innocent.

This volume was widely read, and often re-printed. The above passage is copied exactly in Bridgewater, *Concertatio Ecclesiæ Anglicanæ*, Trier, 1588, p. 409.

XXXIV.

CHARGES AGAINST DR. EDWARD ATSLOWE, THOMAS SOMERSET, ESQ., AND PEDRO DE ZUBIAUR.

12 February, 1586.

R.O., *Domestic Elizabeth*, clxxxvi, n. 61. A clerk's hand. Authorities and comments are in the margin of the MS. On the 12th of February, 1586, Mr. William Shelley, of Michelgrove, Clapham, Sussex, was condemned for high treason but respited. The indictment and proceedings will be found in the *Baga de Secretis;* the official abstract is printed in *The Fourth Report of D. Keeper*, p. 274. The following paper, identical in date, shows that proceedings were also meditated against three lesser victims.

The severall offenses of D. Atslowe, Tho : Somersett and Petro Çubiare. [*In margin*] 12 Februarij, 1585.

D. Atslowe.

A practise for conveying over of the E. of Arundell. [*Margin.*] By his own confession and the E. of Arundels.

A conveyer of money to seminary priests beyond the seas.—Yf he have written or published this libel it is treason.

A slaunderous libell found in his study against the Queenes ma^tie^ and the Justice of the Realme.

Hath practised meanes to have furder intelligence with the fugityves for their relief and conveying letters unto them : and was directed by a letter from Horton a traytor to make his conveyance to the Rector of the Jesuites and to certen flemish merchaunts to be instruments for those matters.—By a letter from Horton.

Hath had intelligences with Tho : Morgan the Traytor and sent and receyved messages to and from him.—By his own confession.

This man is unfitt to be at libertie, if her Matie shall not please to have him proceeded with all.

Thomas Somersett.

He confesseth that sundry letters have passed betwene him and Tho : Morgan : but none since his last imprisonment.—His owne confessions.

He confesseth the sending over of letters and money to Tho : Morgan and Doctor Allen, and that he receyved two severall lres from Allen.

He excuseth his sending of letters and money and receyving of letters from Allen : alleaging that the same was concerning the education of two boys, the one his bastard sonne, and the other a bastard of his brother Francis Somersett.

He hath geven money and relieved priests, being prisoners in the Marshalsea.

He hathe bene a deliuerer of diuers lres from Tho : Morgan to sundrye persones in this Realme.

He hath bene an instrument for conueying over of letters and money to relieve the Seminaryes beyond the seas.—By letters from Tho. Morgan.

Yt is to be probablie gathered by a lre written to him from Tho : Morgan, that Tho : Somersett hath had intelligence with the Scottishe Quene.

Piedro de Çubiare.

By his letters in cipher intercepted addressed to Don Bernardino de Mendosa, hath wished that this Realme might be conquered by the king of Spaigne : and advised him that if any should be sent hether to treat of the conquest, that he should be a Spanyard and no Italyan.—His offence is capital.

To make the meanes of a conquest of England the more facile, he delivereth in his letters sundry particularities of the state of this Realme and affection of the evell subiects.

Uppon his examinations he hath boldly confessed his disposycon to practise for the invading of the Realme and that he hath disyred the same to be performed for revenge of sundry wronges by him supposed to have bene don to the kinge of Spaigne by the Queenes Matie.

Yt dothe not appeare that he had any commission from the k. to deale in any causes as Agent here : but was set on worke to practise treason within the Realme by Mendosa.

He hath bene a continuall intelligencer for the Prince of Parma and Mendosa here in Englande.

Hathe corrupted certen of the Queenes Ma^ts^ subiects to surprise Flushing for the Prince of Parma.—By his own letters and confessions.

Hathe certified the Prince of Parma that some of her Ma^ts^ privy Councell have apposted Rowland Yorke to murder him.

XXXV.

THE DACRE ESTATES.

19 March, 1586/7.

R.O., *Domestic Elizabeth*, cxcix, 47. This fiscal document is given in abstract only.

"The order taken by the L. Threasurer of England and Mr. Secretarie Walsingham by her Majestie's commandement between the Erle of Arundell and the L. William Howard his brother, and Mr. Francis Dacre esquior."

1. Francis Dacre shall not put out any tenant, and any that shall atturn to him and die, the said Francis shall not put in a new tenant, but such as by law or custome ought to succeed.
2. Of any delay, on behalf of the said Francis, her Majesty is to be informed.
3. Francis Dacre, shall not use any force.
4. Former orders from the Lords to be void after 11 April.
5. Rents remaining in hand to be paid to Earl and Ld.W., except in case of those who did atturne before the first order of the LL.
6. If force is committed, the party using it shall bear the blame.

XXXVI.

DRAFT OF POPHAM'S SPEECH.

16 May, 1586.

R.O., *Domestic Elizabeth*, clxxxix, n. 28. Autograph draft by John Popham, Attorney General, of the latter part of his speech in the Star Chamber.

A, B, C are missing. Very large blanks are left *after* each heading, brackets unfinished.

D.

Consideration of ye circonstances of ye cawses.
4. His manner of going.
1. The party to whom he went.
3. The dispersing of his letter, after his going.
2. The tyme of his going.

The E. alleagethe religion
The abuse of religion cawse of his defection.

To be tormented, y^t a iudge of y^t coorte should now be iudged by y^t coorte.

D. Allen
1. Inwarde with the D. of Gwise.
2. The heade of ye Seminaries.

Endorsed.—16 May, 1586, Memoriall touchinge the earle of Arundell.

XXXVII.

PROCEEDINGS IN THE STAR CHAMBER.

17 May, 1586.

Yelverton MSS., xxxiii, p. 111. A clerk's hand. As to the procedure in this curious trial, it may be well to begin by quoting from Blackstone's *Commentaries* iv, p. 119. "Misprision is a term derived from the old French *mépris*, a neglect, or contempt, and it is said that a misprision is contained in every treason and felony whatever, and that, if the king so please, the offender may be proceeded against for misprision only. Upon the same principle, while the jurisdiction of the star chamber subsisted, it was held that the king might remit the prosecution for high treason and cause a delinquent to be censured in that court merely for a high misdemesnor, as happened in the case of Roger, Earl of Rutland in 43 Elizabeth, who was concerned in the Earl of Essex's rebellion."

This describes (with an important exception) the form of proceedings held against Earl Philip, as is enunciated by Bromley the Lord Chancellor, in his opening speech, and ours is an earlier precedent than that quoted by Blackstone. Bromley added that all was done by Elizabeth's "mere motion" and "express command." But we should remember that the Queen did not generally reach these cruel moods, until she had been worked upon by Leicester, Walsingham or others; and we have lately seen several suggestions from the Secretary, calculated to pave the way for this gross act of tyranny.

Though the proceedings were not unusually arbitrary for that time, the *form* of the trial is nevertheless very repulsive to our ideas of law and justice. The "information" of the Attorney-General does not seem to have been substantially based upon evidence. For instance, he charged the Earl with having written to the traitor Allen, and with having received letters from him. According to our standards he should have begun by producing the letters, or the evidence for them. But no! While the alleged offence is rhetorically exaggerated, no notice is taken of the absence of the letters or their equivalents. In reality Popham was probably only giving his view of some stray phrase from the Earl's examinations, while the auditors thought they were listening to objective evidence, which would stand by itself. And so on throughout.

Thus he argues from the words, alleged to have been uttered by the Earl in his protestant days some years before, and from the draft of his speech we see that he meant "to torment" the Earl with them. Yet for this phrase, which might so easily be misapplied and ill-apprehended, no proof whatever is offered. Again a message from the Pope is alleged, which, to those familiar with the pasquinades of that day, will surely suggest a forgery. Yet no authentication of the message is attempted!

It is true that at the very end, before sentence was given, we find the phrase "after proofs made of the several offences." But this is even at the best a confession that evidence was the last thing thought of in the trial, that the arraignment itself was without any proof offered. The words used are such as to produce the impression that, though some papers were probably then shown or described—yet after all nothing was taken seriously, probed or discussed. The evidence given was, in our sense of the words, nil. That was quite usual during this reign.

We shall return to this subject with the trial of 1589.

Even the Lord Chancellor and Popham could not help noticing the tyrannical procedure of trying the accused twice for the same offence; that is first for the contempt, "reserving the rest," *i.e.*, the facts with perhaps others to be added, "to be dealt with elsewhere, at her highness's good pleasure," and "when it so seemed good unto her Majesty." The plea of "*autrefois acquit*," or "*autrefois convict*," were each at that time, and earlier too, notoriously sufficient for avoiding a second trial. As we have seen from Blackstone (even when standards were lowest), the crown was supposed "to remit the prosecution for high treason," if it elected "a censure for contempt."

Finally what could be more ruffianly, than the arbitrary shouting down of the Earl's perfectly legal and appropriate plea, by which he was plainly coerced into pleading guilty.

From the government point of view, however, the procedure adopted had many advantages. It afforded an easy method of scoring an apparent advantage over their victims; by showing the utter helplessness of ancient nobility, fortune, and former favour, against royal prepotence. Their fanatical followers would be well supplied with excuses or even apparent arguments for charging Catholics with treason. The proceedings would keep up "the Terror," persecution being then at its height. Moreover they made a good pendant to the Star Chamber session on the death of the Earl of Northumberland (Holinshed, 1808, pp. 604–615). Both began by similar excuses that Papists had been the aggressors by their complaints; and both were mainly occupied by continuous legal invective. But in Northumberland's case there were no less than four accusers in succession, and they the foremost lawyers at the bar, who took up the reprobation of the Earl one from the other. The dead man, of course, could not bite back. Here the attack is by one pleader only, and the case concludes with the court unanimously crying down the defendant before he can develope a plea in self-defence.

The insets throughout are editor's insertions.

In the Starre Chamber on Tuesday the xviith of Maye in the xxviith yere of the raigne of queene Elizabeth.

The proceedings there against the Earle of Arundell.

The presence.

Thomas Bromley kt. Lord Chancellor of England.
Thomas Lord Burghley, Lord Treasurer of England.
Thomas, Earl of Derbye.
The Lord of Hunsdon, Lorde Chamberlein of the Queenes houshold.
The Lord Cobham.
The Lord Buckhurst.
Sir Fraunces Knowles kt. Treasurer of the Queenes housholde.
Sir James Croft kt. Comptroller of the Queenes houshold.
Christoffor Hatton kt. vice Chamberleine of the same.
Sir Fraunces Walsingham kt. Secretarie to the Queenes Majestie.
The Archbusshopp of Canterburie.

The Master of the Rolles.
Edmond Anderson kt. Chief Justice of the common pleas.
Roger Manwood kt. Lord Cheef Barron of thexchequire.
William Periam justice of the Common pleas.

The proceedings.

The Lord Chancellor's Speech.

This daye* the right honorable the Lord Chauncellor of England declared in open court that her Highness beinge informed of divers and sondrie false and slaunderous reportes, letters and libells published not only in this her Majestie's realme of England but also beyond the seas by the enimies to her Majestie her estate and proceedinges concerninge that Phillippe Earle of Arrundell (nowe prisoner in the Tower of London) was committed prisoner to the same Tower, & there deteyned by all the tyme of his impresoment, injuriously, and for noe offence at all.

Her Majestie therefore as well to answeare all such false suggestions, as for the satisfaction of all her highness good and lovinge subjects (even of her Majesties own mere mocion) although her highnes (beinge a soveraine Prince) ys not to render accompt but unto God of her doinges, willed his lordshipp, by expresse commandement, That the same Earle should be called to this place this daye to answeare unto such grevous contemptes as should be layed to his charge by her highnes learned Counsell on her Majesties behalf. Wherein, although matter should fall out of a higher nature then was to be delt with in this Court, yet they agreede to so muche thereof as concerned his contempt, and reserved the rest to be delt with elsewhere at her highnes good pleasure. Wherfore the saide honorable chauncellor commanding the prisoner to be brought to the barre (which was don immeadyatly) his lordshipp required her Majesties learned counsell to procede against him accordingly.

Popham Attorney General.

Then her Majesties atturney generall did informe that the saide Earle had committed sondrie greate and verry grevous contempts against her Majestie. In proof whereof (although there fell out matter of a higher nature) it was to be censured in this Court, for that they were interlaced to geather as that they could not be seavered, yett there lordshippes were to deale onely with the matter of contempt, and the rest with other proofes not meet to be touched, was to be referred to be delt with in a place answeareable to the qualtie of the offence, when it [should] so seeme good unto her Majestie.

First contempt. Succour to priests.

And that one apparent contempt committed by the Earle was that in contempt of twoe severall proclimacions sett forth by her highness the one in Januarie in the xxiiiith yere of her

* "Upon Tewesday morning, at such time as the Earle of Arundell's cause was in handeling in the Starre Chamber, myselfe with others did sitt at Fynsburie, where we found my Lord Windsor's office. . . ." Recorder Fletewood to Lord Burghley, Whitsunday 1586. B.M., *Lansd.* MS., 49, n. 1. Wright, *Queen Elizabeth and her Times*, ii, 291. The Tuesday previous to Whitsunday was 17 May.

Majesties raigne and thother in Aprill followinge* straightly charging and commandinge all her Majesties subiectes of this realm not to receave, succor or interteine any Jesuit or Seminarie preist by any manner of meanes uppon perill to be taken and accompted as receavers, abetters or comforters of traytores to her Majestie and the realme. In respect that it had appeared manifestley as well by the severall confessiones of divers of them selves, as by sondrye other good proofes that they were and are dayly sent secretly in to this her Majesties realme of Englande, as instrumentes from her highnes knowen enymye the Pope and his confederates. As namely, doctor Allen, an Englishe man borne, who standeth shamefullie atteynted of high treason by the lawes of this realme, and others to seduce and drawe her Majesties good and loving subiects from ther due obeydience to her Majestie whereby to make a stronge partie here within this realme of her Majesties, to be apt and redie to joyne not only with any invasion or forreyne enimie against her highnes, her crowne, state and commonwealthe, but also to give strength and stomake to her highnes infected and hidden enimies at home to enter into tumult and rebellion against her Majestie as by the same severall proclamacions, confessiones & proofes: very amply declaringe the daungerous practises of such persones & the disposition of there favourers and mainteyners more at large appeareth. He, the saide Earle, since the same severall proclamacious & contrarye to her Majesties pleasure and expresse commandement therin sett downe and declared, whereof he could not, nor ought not to be reckoned misconizant or ignorant, had both before and about the ginninge of the last parlament receaved and enterteyned into his house and companie three severall Jesuits or seminarie Preestes, viz.: one Weston a Jesuit as him selfe confessed at the barre, and one Bridges & Hall beinge both seminarie Preests. By some of which he hath bin both confessed and absolved, and hath hard Masse of some of them, as him selfe hath acknowledged, whereby he hath bin reconsiled to the Church of Rome as was prooved by the manner of reconsiliacion now used, (and as the court conceaved). And moreover that he had enterteyned and had into his house and socyetye the saide bridges, both in the saide parlament tyme, and sithence, and had used the same Hall and Bridges both unto the sayde Allen as Messingers, and alleaged also that whereas one James Hill† about foure yeres last past declared unto the saide Earle that some mesages had bin brought from the Pope into England signifying that he had bin at great charges sending Preestes and Jesuites hither into this realme & that he founde falt that the same, never thelesse the noble men and gentlemen of the countrie who pretended to be

* The first proclamation was dated 10 January, the second 1 April. For the first *see C.R.S.*, iv, pp. 2, 3. An original copy is preserved B. Museum, G. 6463, No. 211. Allen's *Apologie*, is an answer to the second, and he has thus preserved its text. The year was 1581: 23, not 24, Elizabeth.

† Of James Hill we have heard before, pp. 47, 52, 93, and as to his future honourable position in France, *see* T. G. Law, *The Archpriest Controversy*, ii, *passim*. As to this alleged "message," for which see p. 293, it is evidently neither *in stylo curiæ*, nor yet consistent with the papal policy of that day. But it is exactly consonant with the lampoons on papal bulls, &c., then so common.

Catholiques, as he tearmed them, were very slacke, and not so forwarde in that cause as he expected. After which the same Earle still enterteyned the same James Hill in his socyetie for a lonnge tyme after, and never revealed the same, as in dutie he was bounde to doe but concealed the same. Although (as her Majesties saide Atturney this daye informed) he, the same Earle him selfe sittinge in judgment in this place in Easter tearme, in the xxiii[th] yere of her Majesties raigne (uppon a licke matter concerning the same Jesuits & seminarie Preests then drawen in question by the meanes of one [Vallenger]* very constauntly pronouniced and affirmed in open Court that in his oppinion all suche pervers and obstinate papists were generally to be demed and taken as traytors to her Majestie.

Second Contempt Letter to the Queen.

Her maiestie's saide Atturneye did lickwise informe That the saide Earle uppon some discontentment by him conceaved, as appeared by the sequeell of his atterny† & uppon conference therein had with the saide Bridges & Hall resolved neare about Michaelmas last was xii monethes to convey him selfe secretly over beyond the seas unto the saide Allen by whome he then agreed to be whollie directed. And beinge so resolved about Allhallowntyde last past, wrote letters over the Seas unto the same Allen, & after that receaved letters againe from the saide Allen. Thereuppon (purposing to import to her Majesties the cause of his discontment) he wrote his letters directed to Her Majestie. In which his letters written with his owne hand, the same Earle first accused her Majestie verie contemptuoslye and iniuriously of partyallitie; alleaging her Highnes hadd countenaunced & protected his enimies to doe him iniurie. Then he charged her Highnes' most honorable privie counsell of harde dealinge and iniustice used towardes him in his formor truble. At which tyms (as he writeth) the matteres were but redicolous that were layde to his charge: And that yet he was continued xv weekes prisoner without any cause. He also setteth downe therin, That the proceadinge against his great graundfather, his graundfather, and his father were very hard, & without any just cause of desert: Alleaging further that as the inosencie of them could not defend them, noe more could all his owne innocencie protect his life with a very contemptous accusacion of the whole parlament in the last cession thereof for passinge the act against the Jesuittes, seminarie preestes, and such lick disobeydient personnes. Uppon the whole he concludeth that, as he was to succead his Auncesters in there inheritaunce, so did he expect to succead them in there fortune, if he should not have prevented it by avoyding the realme. Which letters beinge sealed upp he left the same with his sister the lady Margerie & a coppie thereof he left with Bridges, whereby they might be by him delivered abrode also. Whereuppon the[y] were published and dispersed in manner of a slaunderous libell after his departure. For the saide Bridges caused divers coppies there of

* Vallenger, in MS. Voleny: presumably a reporter's error in a rare name. See *C.R.S.*, ii, 250, 253, 283, iv. 38. Bridgewater's *Concertatio*, pp. 225, 408.

† Attorney, for "Act of attorney." The reference is to his *Letter to the Queen*.

to be made by scrivenors & to be published & dispersed in sondrye partes of the realme to divers and sondrie persones.

Contempt iii. Attempted flight.

Moreover her Majestie's saide Atturney did also informe, that the saide Earle uppon his saide resolucion to depart this realme attempted immeadyatly after Michaelmas last was xii moneths* to tak shippinge in Sussex at twoe severall tymes, where meeting with the saide Bridges & Hall, & beinge interrupted by some occasiones, he eftsoones returned. And at his retorne, hearinge of the Parlament then at hand, determined to staye for that tyme. And afterwardes when the same parlament was adiourned for a smale space† then the saide Earle confederated with doctor Atslowe at severall tymes, to provid shippinge for him in Essex, which beinge don accordingly, the sayd Earle conceaved some mislike of the place, & then determinde to staye the ende of that cession of parlament. And after the end of the same cession the saide Earle verie contemptuouslye eftsoones practised meanes for his departure, & then confederated with one Braye and others for his transportation to the said Allen,

Dealing with Allen.

an notable traytor residaunt at Rheims in Campaine, and a man spetially noted & knowne to be partie & privie to the greatest & most daungerous treasons, that have bin attempted against her Majesties person & ye state of this her highnes realme of England and of Ireland synce her highnes raigne and goverment. And for the accomplishment of his purpose therein he wrote in his saide letters

Letter to Allen.

to the said Allen to urge him to somewhat to the furtheraunce of the Catholique cause, as imputing great slownes therein, in the same Allen, And thereby submitted him selfe to be wholly at his direction, & to doe any thing that he should appoint for the furtheraunce of the Catholique cause. Who advised the same Earle at his comminge over the seas to

Title of Duke.

take a better title on him then the title of an Earle. And that, concurring therwith, there was found in a clocke bagge wherein the Earle his stuf was, a paper wherein were certeyne holy graines lapped up, In which paper was written these wordes Philipp, Duke of Norfolke Earle [of] Arundell. And here withal her Majesties saide Atturney noted the tyme of his

Circumstance.

departure to be at the very beginninge of the daungerous Insurreccion mad in Fraunce by the Duke of Guise, whoe, as it is manifestly knowne, gave out and promised to the saide Allen that after he should have

Guise's promise.

accomplished his business in Fraunce, in placinge, as he saide a Catholique heire there, he would then also attempt to sett upp and establishe the pretended Catholique religion in England. In which occasiones, as the aide & presence of the sayde Earle beinge a peere, and spetiall person of degree and power in this realme might have bin a great stengthinge to her Majestie againste suche forreine attempts and comefort to the rest of her Highnes subiects.

* For the chronology of this, see p. 108.

† December 21 to February 4, see *above*, p. 98.

So (he saide) his absence might contrariwise weaken her power and give hart and encoragment unto her enimies against her. All which notwithstandinge, saide Mr. Atturney, the sayde Earle verie contemptuouslye, & without the licence, consent or privitie of her Majestie, tooke shippinge verry secreatly accompanied with one or twoe of his servauntes at the moste, and so beinge on the seas, was taken, and brought back againe. For all which contemptes and misdemenors before recyted, her Majesties saide Atturney generall prayed on the behalf of her Majesty that the saide Earle might recave condign punishment by order from this place, as in licke cases have bin heretofore accustomed.

The Earl's pleading.

Then the saide Earle beinge present at the barre as aforesaide was demaunded particulerly what answear he could make to ye saide offences so informed against him, whereuppon the saide Earle laboringe at the first to excuse or extenuat his said heynous offences and contemptes, with supposed matter of consience error and ignoraunce, & with earnest protestacions of an innocent intent in all his proceedinges as touchinge any offence pretended to her Majestie or the Realme. Yet in ye end beinge made to under stand by the Court that those his allegacions and protestations extended rather to his further accusation, then excuse, The same Earle, at thende, after proofe made* of the severall offences & contemptes aforesaide, confessinge his saide offences, acknowledginge her Majestics great favor and clemencie to be extended towardes him submitted him selfe to the censure of this most honorable court earnestly beseechinge all the honorable presence here sittinge to make humble intercession to her highnes in his behalf that it might please her Majestie to withdraw from him her highnes deserved displeasure, whereuppon this honorable court takinge great

Sentence.

deliberacion and consideracion of the quallitie of the manifold heynous contemptes and misdemenores before declared being altogeather unexcusable and the greater in respect of the qualtie of the offen[dor], forbearinge neverthelesse accordinge to her highnes good pleasure to enter into the consideracion of suche spetiall matters as might in any wise extend or reache to chardge him, the saide Earle, in a higher degree, have convicted the saide Earle of the saide matters of misdemenors & contemptes only layed to his chardge, & have adiudged him for examples sake well worthye to paye for a fyne for the same offences to the [? use] of her Majestie tenn thousand pound, & that he shall returne prisoner to the saide Tower of London from whence he came, ther to remaine prisoner as before at her Majesties pleasure.

Chronology.—22. Babington's Plot.

June to August, 1586.

This was the only genuine plot of Catholics during Elizabeth's reign, and it originated with government agents, and was throughout nurtured and kept

* "After proofe made." From this phrase we infer that some "proofs," probably papers, such as were shown later during the trial, were mentioned or shown in court just before sentence; all the accusations having been made without evidence. But the words do not suggest that these papers were either read in full or probed, or discussed.

alive by them. Its beginnings are obscure, as might be expected, but among the first movers we find Gilbert Gifford, the *agent provocateur*, George Gilbert his cousin, Savage, and probably Salisbury, Tichbourne and Windsor. In March, 1586, they were joined by John Ballard, a priest, a good but over busy person, who had in the previous year put himself at the service of Thomas Morgan, Queen Mary's quarrelsome, rash and recklessly pushful agent in Paris.

Before this Gilbert Gifford had been sent to England by Morgan to arrange some means of passing in letters to Mary. He was arrested on landing, and brought to Walsingham, into whose service he at once entered, if he had not done so before. But he remained a catholic in appearance, and was set free by Walsingham, because he promised to be a foe to the Jesuits, and ready to betray them: a disloyalty to those of his side, which rather amused the factious Morgan.

Meantime Mary had been placed under a very strict gaoler, Sir Amias Paulet, and was confined (Christmas, 1585) at Chartley with all means of passing out letters cut off. It so happened that Gilbert Gifford's father, now in confinement for the Catholic faith, had his home in the neighbourhood. There was nothing suspicious therefore in Gilbert's going down there; and, with government assistance, a way was arranged by which Mary might pass out letters, which, however, were all secretly read *en route* by Walsingham's decipherer, Thomas Phelippes, as also all letters that came in. The first note passed in to Mary reached her on 16 January, 1586.

The means of communication was used sparingly at first, and the cautions employed were so many that letters took some two months in going and the same in coming. Thus, in the beginning everything moved very slowly, and few records remain. When the victims had got accustomed to using the death-trap—for such of course it was—the letters passed through it multiplied, and then we know much more about the transactions undertaken.

After having been initiated in the original conspiracy about March, Ballard crossed over to France (end of March, Old Style). He was accompanied by one Mawde, a secret agent for Walsingham, but this man does not seem to have been very efficient as a detective. Ballard parted from him at Rouen, and went on to Paris (mid April, New Style), guided by Grately, whom we have met before. Ballard consulted Morgan, Paget, and Mendoza, now Spanish ambassador at Paris, and between them a murder plot was decided upon, and Ballard was sworn to it. Mendoza, however, treated everything as tentative, and would make no definite promise or undertaking, until by another messenger he should be informed accurately how many persons were engaged, how many would assist and on what plan. These interviews completed the deterioration of Ballard's character. Once a zealous missioner, he was henceforth an *exalté* plotmonger, sure to be the ruin of any enterprise depending upon him. This was the end of April, New Style.

Returning again to England in Mawde's company, Ballard at the end of May (Old Style) prevailed upon Anthony Babington to join. He was a young married man, wealthy, eloquent, with many friends. But he was not a hero; a philosopher and a dreamer, not energetic or acute enough to take at once the measure of men like Ballard or Gilbert Gifford. It was arranged that he should organise in London, while Ballard (with Mawde) made a wide detour round the North, to count up possible allies. On 7 June there was a final meeting of thirteen conspirators, amongst whom Gilbert Gifford was also present. The project was agreed to in general, though particular plans were not yet formed.

Ballard being gone, Babington began to debate the matter with his friends, and to make plans for the remoter future, *e.g.*, whether they would carry off

the Queen or kill her, &c. But he did nothing, and in order to blind Walsingham about their meetings, asked for a licence to travel abroad. This he did through Robert Pooley, another government *agent*, who affected the warmest friendship.

Amongst other topics they talked of obtaining liberty for the Earl of Arundel; but as they had no hopes of breaking open the Tower, the idea was abandoned.

While Babington was thus "lingering," Mary was writing him a letter. She had received some old letters which showed that in the past Morgan had asked him to forward letters to her. So she wrote, 25 June, to ask him to send them on.

Meantime Gilbert had been to Paris to worm out of Morgan all the information he could, but had not discovered much. He was back 26 June, and soon began to re-galvanise the plot, which Babington had allowed to die down. Savage was reminded of his "vow," and all were informed from Morgan and Paget that a foreign invasion was being prepared, which could not be postponed beyond September.

About 6 July Mary's letter was given to Babington, and he resolved to answer it by communicating to her the whole conspiracy, and asking her directions. He did so immediately, and his letter was in Walsingham's hands by the 7th, and in Mary's by the 14th.

Her fate was now practically settled. Whatever she answered, and whether she answered or not, knowledge of the conspiracy had come to her; and it was morally certain that a woman like her would not at once betray her followers. Against the advice of her secretaries she resolved to answer, *saying nothing whatever to the clauses about the murder plot*, but welcoming the plan for her escape.

This fatal answer passed out on 17 July. The conspirators were then in London and in great suspense. Ballard had returned from his tour almost in despair. He had too late found out Mawde's treachery; and what made the *exalté* agitator still more despondent was, that he had to confess that "those who should have been most forward were most slow, and the older the colder."

On 21 July the cunning Gilbert Gifford saw that the end was near, and fled to France, lest he should be compelled to appear in the coming trial. Phelippes wanted to arrest the conspirators at once, but Walsingham kept more cool, and resolved to let Babington answer Mary's letter, which was not done till the 3rd of August.

On the 4th Ballard was arrested, but on the score of being a priest. Nothing was said yet about the conspiracy. Next day, however, the conspirators fled, and hid themselves in St. John's Wood, then on Uxendon Farm, near Harrow, the home of a staunchly Catholic family called Bellamy. Here the main body were arrested on the 14th, and brought to the Tower on the 15th. They were tried on the 13th to the 15th of September, and suffered on the 20th and 21st. They were butchered before the church of St. Giles's-in-the-Fields.

Mary's trial began on 14 October. Her execution was on 8 February, 1589.

XXXVIII.

PASSAGES FROM THE EVIDENCE PRODUCED AT THE TRIAL WHICH RELATE TO THE EARL OF ARUNDEL.

i. Correspondence of Babington and Mary.

6 and 17 July, 1586. *Scottish Calendar*, viii, 573, 525. It is also printed in every life of Mary.

6 July, Babington mentioned the subject of the leadership in somewhat obscure terms. He begged Mary " by your wisdom to direct us and by your princely authority to enhable such as may advance the affaire : foreseeing that there is not any of the nobility at liberty assured to your Majesty in this desperate service, except unknown to us." Then he turns to the future, " Seeing it is very necessary that some there be to become heads to lead the multitude, ever disposed by nature, in this land to follow nobility &c., &c., I would recommend [in due time] some unto your Majesty as fittest, in my knowledge, for to be your lieutenants."

17 July. Mary answered Babington, here as elsewhere, not by a mere negative or affirmative, but giving to her directions a turn that is her own.

§ 12. " Your reasons to have some general head or chief, are methinketh very pertinent : and therefore were it good to sound obscurely for the purpose the Earl of Arundel or some of his brethren, and likewise to seek upon the young Earl of Northumberland, if he be at liberty." Failing them she recommends Lord Westmorland and Lord Paget.

But this letter can have had not practical effect, as it only came into Babington's hands on 3 August, the day before the arrests began. For some reason which is not very obvious, the first and the official edition of these letters altogether omits the passage from Mary's letter quoted above (*Defence of the honourable sentence of the Queen of Scots*, Windet, 1587, British Museum, G 1737, ascribed to M. Kyffin). Possibly the prosecution did not wish to offend the Howard family, which (though not its head) was still powerful and in public favour.

ii. Babington's Confessions.

No date, end of August.

Yelverton MS., xxxi, ff. 229, &c., 233.

Question 6 to Babington in Examination v. What your opinion touching the Earl of Arundell was ? Whether he was privie to these actions ? What means you had to procure his safetie and deliverance upon the execution of this conjuration ?

Babington's Answer, § 12. I verily think the E. of Arundell was never privie the practise. The preservation of him was a thing, whereof I had special care in regarde of his callinge and firmness in religion, but the meanes of his deliverance out of the Tower could never be aduised except by participation with many, which might overthrow the rest more important.

Babington's Examination viii, 2 September. *Answer* 3. He saith that he knoweth not any nobleman that woulde be assured in this action, either at libertie, or in prison, or otherwise restrained, but he saith he presumed that the E. of Arundell would have been a fit man to have been sounded in respect of his earnest affection and zeale to the catholique religion, but he never knewe anythinge of him.

iii. Queen Mary's Speech.

State Trials, London, 1730, p. 142. 14 October, 1586, during trial at Fotheringay.

There were read, out of Babington's Confession, the chief heads of certain letters, which he had voluntarily confessed that she wrote back unto him. Wherein when mention was made of "the Earl of Arundel and his brethren, and the Earl of Northumberland"—the tears burst forth, and she said,

Alas! what hath that noble House of Howard endured for my sake?

And shortly after, having wiped away the tears, she answered,—

That Babington might confess what he list, but it was an open lye, that she had devised such means to escape. That her adversaries might easily get the Cyphers, which she had used to others, and with the same write many things falsely. That it was not likely, she should use Arundel's help, whom she knew to be shut up in prison, or Northumberland's, who was very young and to her unknown.

See M. Maxwell Scott, *The Tragedy of Fotheringay*, 1895, p. 52. *Le Journal de Bourgoing* (ed. M. R. Chantelauze; *Marie Stuart, son process, &c.*, Paris, 1876), pp. 517, 518, does not distinctly allude to this incident. At least it does not mention the name of Howard or Arundel. In regard to Mary's denials, it must be remembered that she had not seen her letter since it was written several months before: and that she was here denying, but perhaps too warmly, the unfair deductions made from it.

iv. Morgan's Correspondence.

1585, 1586.

Murdin's *State Papers*, 1759, pp. 452 to 529. Zealous adherents of Mary, Queen of Scots, on the Continent sought to enlist in her cause all persons and all movements, no chance that offered was left untried. The most active of these agents and plotters was Thomas Morgan; and connection with the Howard family seemed to him the most obvious course to advise. Morgan was then a prisoner in the Bastille, with very ineffective means for controlling correspondence, and he was employing Walsingham's emissary, Gilbert Gifford, as his postman. Morgan did not know or suspect this, though many suspicious facts were known against the man. On the contrary the improvident Welshman wrote with a frequency, a freedom and an unnecessary plenitude of detail, which in a conspirator was folly. Had he had any intimate acquaintance with the affairs of the Earl or Countess this would infallibly have come to the knowledge of the English Government, for every one of these letters was read *en route*. Nothing, however, was learned, because there was nothing to learn, except that Arundel's catholicism and consequent suffering inspired Morgan with hopes.

On 10/20 July 1585 Morgan writes: "I heare that Doctor Atslowe was racked twice almost to the death in the Towre abowt the Erle of Arundell his matters and intention to departe England, wherin he was betrayed and therbye now in danger of his life. [? His brother] is in the Towre, and one of his unckles, and the sayd Erle of Arundell. God helpe them all." *Ibid.*, pp. 452–3.

The next letter is dated 21/31 March 1586; and the decipher has been authenticated by Burghley, Shrewsbury, Hunsdon, Cobham, Walsingham. Murdin, pp. 487–504, *Scottish Calendar*, viii, 278. "It is requisite," writes Morgan, "that some personage of accompt be called to follow the service of your Majesty in London." I have already

written to one well placed and able to do you service. "I have written also to the Lord Harrye Howard to have a speciall eye to your Majesty's service, for that I understande he hath convenient libertye, though he be ordered to live in Sir Nicholas Bacon's house." I have taken measures for his introduction to the French ambassador. "Likewise, as things have fallen out in England since Leycester his departure for Hollande and Zealande, onlesse I be moch deceaved the Lord Harrye shall have good meanes to doe your Majesty service, and therefore your Majesty shall doe well to revive your Intelligence with him, and the soner you do it the better; and the Meanes to doe it, I will impart unto your Majesty before I make an ende of these my letters." Before doing so he mentions that he has written to the Lord Lumley, and that it is best to trust old servants who have suffered in the cause, and whose good fortune is bound up with that of the cause. "The Countesse of Arundell is a very noble woman, and so hath shewed herselfe by her constancy in Fayth towardes God, and by all other honourable deportements, and is towardes your Majesty as she ought to be, as you know, and she exceedeth, in this troublesome worlde, all the men and women in the partes where she liveth, and no doubt wold think herselfe happye to have place to serve and honor your Majesty, which she shall be able to doe with lesse suspicion then if she were a man; and I am of opinion that your Majesty shall do well to employ her, and to write to her." I enclose a draft for the letter. "The sayd Countesse hath good intelligence, as I am crediblye informed, with the Lord Harrye Howarde, to whome she may convey your letter for him."

Of the three new Privy Counsellors who are opposed to Leicester, "some hold Buckhurst for a Catholike in his harte; but if he be, he dissembleth the matter egregiouslye." Lord Harry may be influential with Buckhurst, who is allied to the family through his son and heir's marriage to the Lady Margaret.

"The Erle of Arundell is now a sound Catholike, and his Affliction which followed in short time after his reconciliation to the Catholike Church, hath without doute done him infinite good. . . . Buckhurst is the more apt to be wrought for your Majesty, wherof Arundell and his wife, and the Lord Harrye Howarde may be the most profitable and be the best members that I can thinke of presentlye for the purpose." The Countess of Arundel might be used also to communicate with Lady Cobham.

"The more I thinke of the Countesse of Arundell, the more necessarye I thinke it for your Majesty to enter into intelligence with her, having devotion to serve your Majesty, and able to do it many wayes; she is one of the daughters and heyres of the Lord Dacres of the North—which I think your Majesty remembreth, and by that meanes hath landes and tenants on the borders of Scotland, and many frendes which she may and will convert to serve your Majesty's turne for intelligence with Scotland; and therefore your Majesty may boldlye call uppon her for this and other offices, for she hath ben to my knowledg long since in hande with some frendes to have some fitt thinge to be presented from her to your Majesty." The French ambassador will

be willing to deal on Mary's behalf with the Countess "for he is desirous to be lodged in one of her husband's houses."

Then follow the suggestions for the Queen's letter to the Countess. "Right trusty and wel-beloved cousin. Grieved by the afflictions of you and your husband, I am comforted by your joint constancy in the Faith. God hath set you high in the world to be an example. For want of steadfast example heresy has spread in the land & we must stand the firmer. I would help you & your husband, but at present help from me may harm you. I suffer from my son's backwardness in matters of his own salvation which I cannot remedy because we are & have been kept apart. Do me the service to convey letters of mine into Scotland through your friends on the border. I desire you also to deliver a letter to Lord Henry Howard, and another at your discretion to Lady Cobham. I commend to you the French ambassador."

In his next letter of 29 March/8 April altogether ignorant that the Privy Council had been studying these recommendations, he urges "Make none privye as yett that I wished your Majesty to enter into intelligence with the Countesse of Arundell."

On 24 June/4 July he writes: "And for that there is great appearance that God will bless the Erle of Arundell and his familye, seing they frame themselves to serve and honor God, and to stand for the defence of his cause as they do, I have procured Gratley in my former letters mentioned (who was the means under God to bringe the sayd Erle to know God and to serve him) to give Pietro [Gilbert Gifford] special creditt with the Countesse of Arundell, and the sister of the sayd Erle (who is a devout gentlewoman) and married to the Lord Buckhurst his sonne and heyre." Gifford will be able to keep you in communication with the Countess, and she is fittest for your correspondence on the Border, "Northumberland excepted, who is not yet to be employed." *Ibid.*, p. 521.

He had explained 14/24 April that Grately & Gifford were only pretending to be serving Walsingham and in reality, as they had themselves told Morgan, were going to "overtake the Secretarye." *Ibid.*, p. 511. By the 24th June he was able to send the news of the verdict in the Star Chamber. "The Erle of Arundell was of late condemned to pay her 30,000*l.* [*vere* £10,000] and to live in prison during her pleasure." *Ibid.*, p. 524.

29 June/9 July 1586. "The Erle of Arundell, as I am informed, might have libertye, if he wolde consent to go to theyr Churche, which I heare he yett constantlye refuseth, though my Lord Harrye Howarde and other his frends labor with the sayd Erle to go to theyr Church hereticall." *Ibid*, p. 529.

Fr. Southwell writes 15/25 July, 1586: "It was proposed to the Earl of Arundel by the ministers of State, and I believe by the queen herself, that if he would only consent for honour's sake to bear the sword as usual before the queen to church and there wait till the end of the service and of evensong, he should be set free. But he suspects some fraud, and will either refuse altogether, or at least will do nothing, which after consulting his spiritual directors he does not consider lawful:

for his resolution is not to swerve a hair's breadth from his duty as a Catholic." *C.R.S.*, v, 309.*

CHRONOLOGY.—23. THE DACRE PROPERTY.

2 October, 1586. *Hatfield Calendar*, iii, prints an abstract of a document endorsed : "The Earl of Arundel's answers to Mr. Solicitor General sent from the Queen." "Relating to a law suit depending between the Earl and Francis Dacres. In the answer to the third point it is stated that "the question standeth upon three baronies which lie fast upon the Border," and her Majesty "will consider how unfit and inconvenient it were to suffer any forcible attempt about the getting of possession in those parts. It is well known that the daughters and coheirs have been in possession for the space of 16 years and more."

XXXIX.

IMPRISONMENT MADE MORE SEVERE.

i. FRANCIS MYLLES TO SECRETARY DAVISON.

Walsingham House, 9 October, 1586.

Oxford, Bodleian Library, Tanner MSS., lxxviii, f. 12. This letter illustrates the nervousness of the officials at Court after the Babington plot. The Earl was generally imprisoned in the Beauchamp Tower until 22 June, 1587, when he dated his great inscription. But he was sometimes sent to the Queen's garden in the south-east extremity of the Tower, and locked up there. This spot was furthest from any road, and by consequence from any signaller upon it.

Yt may please your honor to understand that I doe heare the frends of the Erle of Arundell dayly resort to Tower Hill and as neare to the viewe of him (walkyng a great parte of the daye uppon the leades of his prison and the battlements of the tower wall) allmost as a man may cast a stone. This I doe the better beleeve because I know right well the turrett where the Earle is lodged, and yesterday my selfe was an eye witnes of the L. Henrie and L. William Howarde beyng without all trayne more [y^{n}] one litle page followyng them bothe, uppon Tower Hill : and this day agayne theise personages, I heare, have been there for an interviewe between them and the Erle. Some will perchance saye it is not materiall wher walke . . .† in this sort within the Tower, but yet under your hono^{rs} correction, yf anie Mr. Lieutenants servants or under officers having accesse to the Erle and lykewise to his frends comyng in this maner to view his prison happen to be interpreters thoughe of signes only between theise men, bad effects

* Here we may refer to the story in Burnet's *History of His Own Time* of Henry Howard, 7th Duke of Norfolk, a Protestant. "One day the king [James II] gave the duke of Norfolk the sword of state to carry before him to the chapel : And he stood at the door. Upon which the king said to him, 'My lord, your father would have gone further.' To which the duke answered, 'Your majesty's father was the better man, and he would not have gone so far." Tierney, *History of Arundel*, pp. 546–7, disposes of the truth of this piece of witty gossip. He quotes a letter of Barrillon, the French Ambassador, 26 April, 1685, who speaks of it being the English custom that the bearer of the sword should not enter the church unless the king were communicating ; he speaks of the Duke of Ormond and Marquis of Halifax remaining without whilst the Duke of Norfolk was of those who went in with the king. Fox, *Reign of James II*, App. lxvii.

† Three words illegible here.

may follow even of bare signes ech to other, and so better the Erle had another strong lodging, wher he might have ayer to walke in but not oportunitie to viewe and bee viewed as nowe he is. I have heard that at what tyme hir majestie was prisoner at Wodstocke nether shee nor hir frends then might have the libertie of seyng ech other. What the dangerouse practises of this present tym are you best know, Sir, and therfore of theise walkers so neere the Tower, you may iudge, and doe as you thinke best. In the absense of my master from the Court I thought it my dutie to advertise your honor what I learne hereof. Walsingham house in London the ixth of october, 1586.

Yo[r] honors right humbly at commandment,

Fra: Mylles.

Addressed.—To the Rt. Honorable Mr. William Davison, Esq., one of hir Maiesties principall Secretaries at the court.

ii. The Same to the Same.

London, 11 October, 1586.

Oxford, Bodleian, Tanner, MSS., lxxviii, f. 177.

Yt may please your Honor, this forenoone I receaved your letter by this bearer, for which I can but most humbly thanke you and in lyke maner as I am bound alwayes pray for hir maiestie: acceptyng in good part my poore aduertisement unto you of that great partie and his twoe frends. Yesterday both his frends ranged this place of Tower Hill agayne as the twoe dayes before: and this daye also in the afternoone as a fellowe of myne (whoe saw them) tould me but without their page or any followynge. I know not for certayntie but this bearer hauing been with letters (as he tould mee and your Honor pleased to say) weare sent from the L: Chamberlaine and you to the Lieutenant: I suppose they bothe missed their viewe: thus you see they both have fouer dayes together observed their procession walke. That which more particularly in your sayd letter concerned my selfe, I can but re[f]erre it next to Gods will unto hir Maiesties god pleasure, and your owne oportunitie to fynd hir leasure, and best disposition to signe: and thoughe the settling here after of the poore estate of my selfe, my wyfe and children and familie dependeth only at hir maiesties gratiouse godnes towards mee in this my state, yet dare I not importune you or hir highnes by you otherwise than you shall see the time best for it. And thus I most humbly cease to trouble you. London the xith of October, 1586.

Your honors right humbly at commandment

Fra: Mylles.

Addressed.—To the right honorable M[r] William Davison esq. one of hir maiesties principall secretaries at the Court.

iii. Sir Owyn Hopton to Lord Hunsdon and William Davison.

The Tower, 12 October, 1586.

Oxford, Bodleian Library, Tanner MSS., lxxviii, f. 175. The informer's report has had its effect, and the Earl is sent back to less well aired quarters. The *Life*, pp. 74–76, tells us that, on this or on some similar occasion, the abridgment of his little liberty was obtained on no real ground, as the Earl

himself wrote at the time to the Lord Chancellor, protesting that none had ever saluted him or been saluted by him as he walked with his keeper, except that on one occasion they were driven from their usual walk by the extraordinary obeisances of a man on the Salt Tower. The Earl thought the fellow was a lunatic or put there to mock him or to give colour for these accusations that he was an object of reverence and regard.

Anthony Tyrrell, 31 August, 1586, alleged that the Earl caused Henry Dunn to be brought to Tower Hill that the prisoner might see what manner of man this new helper was, *below*, p. 156. There is another copy of this letter of Hopton, Historical MSS. Commission, *Various Collections*, ii, 241.

Right Ho. for answer of yor letters dated the xith of this instant october for removinge the Earle and to take from hym the comodyties of the leades, walkes and walls graunted unto hym for his healthes sake (which if he hathe not used as to hym appearteyned it is his fault, and not myne). I ame well asured for my owne part I have done nothinge but I have warrant for itt. I trust yor honour will consider that licence is geven hym that Willm Vyxe [? Dyx], John Cornwallis, Robert Buxton and Willm Nacton have warrant to come to hym for his lawe courses, weh psons have accesse unto hym althoughe I be not present (as they do often) so as it is Impossible for me to kepe hym from Intelligence. It was also ordered by the Counsell that Mr. Kempe [? Keeper], Anthony Romney, yeoman his S'vante should attend on hym and two of my men namly Thomas Grenfeeld and Richard Stansby. uppon recept of yor letters I determined to remove hym presently but becawse he receved physicke I was forced to staye. Notwithstanding, I forthwith lockt hym from the leades walkes and wall. And early this morninge I removed hym from thence to his owld Lodginge in the garden where he is Licensed to walke. Desiringe yor ho: to hould this good opinion of me that whatsoever I ame comaunded of yor ho: to doo it shall be done, and so I most humbly take my leave. Att the Tower the xii of october, 1586.

Yo^{r} ho: most bounden to comaund.

Owyn Hopton

Lt.

Addressed.—To the Lord Chamberlain and Secretary Davison.

XL.

ANTHONY TYRRELL'S APOLOGY TO THE EARL.

London, 13 February, 1587.

Hatfield Calendar, iii, p. 222. Abstract. The document is not at this time available for copying, owing to precautions necessitated by the war.

The Earl of Arundel, a Catholic under a cloud, was a mark for every informer; and amongst them that remarkably unsteady priest, Anthony Tyrrell, thought to find favour in the eyes of the Government by accusations against their noble victim. Tyrrell, born a Catholic and dying a Catholic, became a Protestant four times, thus making no less than eight different changes of religion. In 1586 he, a priest, had been concerned with the so-called exorcisms (*The Month*, May, 1911) in which Weston was a central figure. He wrote an account of them and they occasioned his committal to the Counter, 4 July, 1586. It was not his first experience of prison, and he at once began to show his infirmity of purpose. He forwarded a communication to Burghley (B.M., *Lansd. MS.*, l, n. 73), and responded to

Justice Young's overtures. Then came news of the arrest on 4 August, 1586, of John Ballard, his former companion, and this made him hysterical with fear of the consequences to himself, though, in fact, he had not been let into the secret of Ballard's plotting, and had no connection with Babington's conspiracy. He turned Queen's evidence, however, and became the almost distracted tool of Lord Burghley and Justice Young. The knowledge common to all active Catholics, the promptings of his questioners, and the fertility of a frenzied imagination, anxious to supply the kind of confession he knew to be wanted, were the sources of his long disclosures on 27, 30, 31 August, 2, 3 September, 1586 (*Scottish Calendars*). To carry on his task as spy he was first removed to the company of Catholics in the Clink and later released.

When free, this unstable man confessed all his charges to be lies. Those against the Earl he withdrew, 13 February, 1587, in a retractation of which an abstract from the *Hatfield Calendar* is printed below. The cynical description of him tacked on to this by his taskmaster Burghley, as a "lewd prest," is well worthy of note. To his accusations Tyrrell also gives the lie in a letter, 20 February, 1587, to the Queen (Strype, *Annals*, vol. iii, Pt. ii, 425), and in fuller recollections two or three months later, which were later on prepared for the press by Fr. Persons, and finally in 1875 published by Father Morris (*Troubles*, vol. ii). John Bridgewater published in the *Concertatio*, 1588, the sermon read, but not delivered, at St. Paul's Cross, 31 January, 1588, in which Tyrrell again disavowed all his former accusations.

Anthony Tyrrell's mutability and proneness to confess seem almost beyond belief; at all events, they are extraordinary in a missionary priest. But we shall soon come to another example in the priest William Bennet, whose nervousness, changes and passion to disclose everything to the persecutor is also phenomenal. No doubt the explanation is the tortures used in that barbarous age, which were sufficient to deprive sane men of the full use of their reason, even though they lived under the shadow of them only, without actually experiencing their agonies. It may be compared to the ruin done nowadays to some unwounded soldier by shell-shock.

The following extracts are reprinted from Morris's *Troubles*.

i. Accusations and Retractations.

In the confession of his treachery, written abroad, March to June, 1587, Tyrrell recalls that Justice Young, July, 1586, first questioned him of talk with Edmonds (*vere* Fr. Weston) the Jesuit as touching the Earl of Arundel. He at first denied any talk, but under pressure admitted: "I do not remember that ever I talked with Father Edmonds of the Earl of Arundel more than once; riding by the way, I asked . . . what he thought would become of the Earl now after he had made his appearance in the Star Chamber, and had been put to this fine, whether he should now* remain in the Tower or no? And that Father Edmonds should answer, if so be he would but yield to confer with my Lord of Canterbury, that he should be released

* Between 17 May, 1586, the date of the Star Chamber verdict, and 4 July, when Tyrrell ceased to be free. This would make the government too ready to revoke their recent sentence, and the story may be based on some rumour of a religious disputation proposed to the Earl earlier in his imprisonment. There were some proposals of the kind much later, and the prisoner's answer was guided by advice previously given by Fr. Weston. "He thought it lawfull in regard, as he signify'd to Fr. Southwell, he remembered that Fr. Weston had once told him he might admitt of a Minister offered or urged upon him, so that he had a Priest allow'd who could answer and detect his untruths." *Life*, p. 151.

from the Tower. And I asked again whether he might not so do? And Father Edmonds should answer that he might not, for it was both dangerous and scandalous. 'Oh!' quoth Justice Young, 'then the Earl sent some messenger unto Edmonds to know his opinion?' 'No,' quoth I, 'I do not say so, for then I should say falsely by the oath that I have sworn.'" Morris, pp. 335–6.

On 30 August, in answer to a letter from Lord Burghley calling for particulars of importance, "I falsely accused the Earl of Arundel" in the matter of the alleged plot to murder the members of the Star Chamber. Morris, p. 360. "I impeached the Countess of Arundel for receiving of Gilbert Gifford, and for conveying a message that he brought unto the Earl from the Duke [of] Guise, which I protest to my knowledge to have been most false. I accused the Earl of Arundel for delivering of sums of money unto Ballard and Grately of Burlace, his man: which I protest to be most false and untrue to my knowledge, as I shall answer before God. I accused the Countess of Arundel for entertaining of one Baily, and of secret repair unto her: the which I spake maliciously, not knowing any such matter." *Ibid.*, p. 361.

From the contents of the letter just cited Burghley drew up a schedule of Articles and required fuller information upon them. In his reply, 31 August, to Article 9 Tyrrell writes:—

Ballard's "charges were maintained first as I heard by the Earl of Arundel, for Burlace his secretary had brought him acquainted with the Earl. I myself rid with him one journey unto Romford before my lord's apprehension not long, of purpose to speak with Burlace about business that he had to do for the Earl." After supper one night Babington began of the scheme to murder the chief councillors. "Nay, what say you," quoth he, "if at that instant we have as many chosen men, as some of them by fine policy shall make errands at the Tower, other some approach near unto the gates, murder the guard, recover an entrance, and then a sufficient number upon Tower Hill to make the supply and surprise the Tower, make our captain the E[arl] of Arun[del]."* *Ibid.*, pp. 376–7.

Article 12 asked to whom Ballard, alias Fortescue, repaired. "His repair unto noblemen was partly known and partly unknown. He had great concourse unto Burlace, my Lord of Arundel's secretary, but how he came to his person I could never tell. And since the Earl's apprehension and Fortescue's last coming home, it was himself that told me how that Gilbert Gifford† came secretly in a night to the Countess at the Spital, brought letters and news from Grately, messages to my lord, and that he should be put in comfort of his short delivery. . . . With the Lords Harry and Thomas, and the Lady Margaret, with whom also Harry Dunne hath been so great, that they com-

* This project to seize the Tower, which Tyrrell in his hysterical way says was broached to him by Babington, if it took place at all, can only have been made in the first week of June, 1586.

† Ballard had returned to England at the end of May, 1586, and before his arrest, 4 August, 1586, he had confided much of the Babington conspiracy to Gilbert Gifford, unaware that the latter had been a government spy since 1585. However, Gifford in the secret service of Walsingham was impossible for the prosecution as a messenger from the Duke of Guise to the Earl of Arundel.

mending the man unto the Earl of Arundel, the Earl not knowing him, hath caused him to be brought to the Tower Hill, that he might see him but off the leads." *Ibid.*, pp. 379–80.

Writing in 1587 of these answers, he says of the alleged scheme to attack the Tower: "This tale I devised only out of mine own head, to feed my Lord Treasurer's humour, as God is my Judge, and by the grossness thereof he might easily have descried me, but he received it gratefully, and thanked me for my pains; which pains was only in forging lies, God forgive me for it. . . . My devices . . . did bind me . . . to feign many particularities for probability thereof; as that Gilbert Gifford should be sent over with a message from the Duke of Guise to the Earl of Arundel, willing him to be of good cheer, for that he hoped to come and visit him before it were long, and that the said Gilbert went in a coach to speak with the Lady Countess of Arundel at the Spital." *Ibid.*, pp. 382, 388.

In recalling his answer to Article 26 he says that he falsely affirmed that Grately carried letters from the Earl to Dr. Allen promising to come over and join the Duke of Guise in setting up the Queen of Scots. But his memory plays him false. There is none of this in his extant reply. *Ibid.*, pp. 389, 390.

In his "third confession," 2 September, 1586, Tyrrell wrote to Burghley: "The taking of the Earl of Arundel was their wonderful loss, for if he had come over safely, he had ended the quarrel."* His arrival would have provided a leader all would agree to follow. *Ibid.*, p. 408.

He wrote a letter to the Queen, 20 February, 1587, and told her how Justice Young would fain have him appeach noblemen, "and I did what I could, especially against the Earl of Arundel, of whom I made so many lies, as if they may be credited are able to despatch him." *Ibid.*, p. 485.

In the sermon he prepared for Paul's Cross, 21 January, 1588, he branded as false the tales of the projected killings in the Star Chamber, of the Earl's rescue from the Tower, and the message through Gilbert Gifford from the Duke of Guise to the Earl of Arundel. *Ibid.*, p. 492.

ii. The Confession cast into Arundel House.

The confession of Anthony Tyrrell, a seminary priest, regarding certain false accusations made by him against the Earl and Countess of Arundel, in letters written by him to the Lord Treasurer, the particulars of which were:—

1. That the Earl had sent over sums of money to Mr. Edward Gratley, a priest, by Mr. Ballard who suffered.

2. That at Romford in Essex, Ballard received 100*l.* of one Burlace, the Earl of Arundel's man.

3. That the Earl had sent letters to Dr. Allein by Mr. Gratley, stating that he was coming over to join the Duke of Guise for the delivery of the Scottish Queen.

4. That the Earl since his being in the Tower, had received a message from the Duke of Guise by Gylbert Gyfford, to the effect that he

* Referring to the division of parties on the Continent. *See* p. 82.

should be of good cheer, for the Duke hoped within a short time to see him, and to deliver him out of captivity.

Lastly, That the Earl was privey to the Star Chamber practice for the murdering of certain noblemen, and that by the treason of the Earl's friends the Tower should be surprised, and himself delivered, and made a Captain, under whose banner all Catholics and malcontents should band themselves together on behalf of the Scottish Queen.

His accusations against the Countess were as follows :—

1. That Gylbert Gyfford, on his coming out of France, was brought secretly to her in a coach, and that she then devised means to have the message sent by the Duke of Guise conveyed to the Earl.

2. That she entertained one Baily, as sent unto her from Gratley beyond the seas.

3. That she entertained himself, being a seminary priest, at Weldhall in Essex, when his only cause of going thither was to speak with one of her gentlemen, who was an old acquaintance of his.

Lastly he accused the Countess of entertaining Ballard when, as he protests, he did not know whether she ever saw the man in her life.

All which he states was done through his own wickedness and the instigation of his ghostly enemy, "to the dishonour of God, the overthrowe of his Catholick Churche, ruin of your honours, and discomfort of all good men," protesting that in no one point has he spoken truly either of the Earl or of the Countess. London, 13 February, 1587. *Signed* "By me Anthony Tyrrell, preste."

Endorsed by Lord Burghley: "This wrytyng was cast ynto ye Arundell House, in ye name of Anthony Tyrrell, a lewd prest."

XLI.

SIX LETTERS OF THE EARL OF ARUNDEL TO LORD BURGHLEY.

Letter i.

The Tower, 15 April, 1587.

Hatfield Calendar, iii, p. 246. Abstract.

Her Majesty was content that I should remove, so that my lodging had no prospect to any place whereby people usually passed; for that if I had such a lodging, I might make signs, &c. There is no prison in all this house, excepting this, but hath prospect either to St. Catharine's, East Smithfield, Tower Hill, or Tower Wharf, all common passages; neither have I given (as I hope) cause, at any time, to be reputed so dangerous a man, as I might not be lodged in a place where I might see men as they passed. Her Majesty added withal, that I made quarrels to particular men, with much more. Surely, my good Lord, it seemeth that particular men have quarrels to me, and have incensed her Majesty against me more than I deserved, or they are able in truth to justify, or can in conscience answer. I was in good hope that my dutiful mind, together with the time of my imprisonment, and my innocency most manifestly appearing in all these late conspiracies, should have found more favour in her Majesty's sight. Wherefore, I beseech your Lordship to speak to Mr. Secretary in my behalf, that he would stand my indifferent friend. I never gave him any cause of offence in

my life, and therefore, I hope there is no cause of any other particular man, that shall move him to carry a hard conceit towards me."

Endorsed by Burghley: "Earl Arundel. For to have a better lodging in the Tower."

LETTER ii.

The Tower, 11 May, 1587.

Hatfield Calendar, iii, p. 253.

My special good Lord. I am loth to trouble your lordship often with my letters, and yet, since your favour is so great, and so sundry ways declared towards me, and I have no other means to acknowledge how much I am bound, and to show my thankful mind, but only by writing, I could not pass over in silence your lordship's most honourable and fatherly dealing towards me in your late speeches with her Majesty in my behalf. And, as I understand by J. Cornwallis that they were as favourable as myself could wish, so must I acknowledge myself much more bound unto your lordship for them (if it be possible for me to be more, who was before as much bound as any man could be). But what may I say ? or how may I in some sort express your lordship's goodness ? that not only spake in my behalf, but undertook, like a most natural father (as I am bound during life to acknowledge you), for my duty and loyalty to her Majesty. If I should not show my thankful mind for this your lordship's singular goodness, I were the most ungrateful man that ever lived. Nay, if I should not ever seek and study with the duty and love of a son to deserve by all means possible some part of your lordship's most honourable favour, I were unworthy to live. And therefore, to dissemble with your lordship who hath dealt so favourably and fatherly with me, I know were a great and odious offence, neither would I do it for the whole world, I protest, nor yet fail in the performance of any part of that which your lordship hath promised to her Majesty in my behalf. For, being in prison and unable any other ways to serve her, her Majesty hath and shall, God willing, continually have my daily prayers for her happiness and preservation, proceeding from a most loyal and faithful heart. And if it please her Majesty of her gracious goodness to set my body at liberty (which I hope by the mercy of God and your lordship's most honourable favour to obtain), she shall at all times have both it and my life ready to be ventured and employed in any service it shall please her to command. And I would think myself most happy, if I might have thereby any opportunity to give her Majesty a manifest testimony and assurance of my faith and loyalty to her, which while I live shall continue firm, constant, and unmovable. And, for my conscience, since it hath pleased her Majesty to deal so graciously with many other of her subjects in that behalf, I cannot but hope to receive her most gracious and favourable toleration, and especially for that in all other services whatsoever no man shall be found either more willing or more ready than myself to show his most loyal heart and affectionate duty towards her Majesty. And thus commending both myself and my cause to your lordship's fatherly protection and favourable consideration, I beseech God that you may find in heaven all that goodness you have bestowed upon me on earth; and that He will with

many happy years both bless and continue your most honourable estate. This 11th of May, 1587. Your lordship's faithful son ever at your commandment most assured.—Arundell.

LETTER iii.

The Tower, 29 June, 1587.

Hatfield Calendar, iii, 266.

Whereas I understood by William Dix that Sir Walter Mildmay's kinsman was a suitor to your lordship for certain woods about Framlingham Castle, and that it pleased you of your honourable favour towards me to make stay thereof: as I am most bound to yield your lordship humble thanks for your great goodness in this behalf, so am I bold to advertise your lordship that I am very willing, if it may be with your good pleasure, that he should go through for two of the same. And forasmuch as there be certain other woods, adjoining so near both to my house at Kenninghall and Norwich as I cannot well forbear them, and will be shortly sued for (as I fear) by some other, I am humbly to beseech your lordship that it would please you so far to extend your favour towards me that I might have in lease the preferment of them. I have understood from my Lord Admiral that the Queen remaineth in that gracious disposition towards me, wherein your lordship did both settle and leave her at Nonsuch, and my lord of Leicester, if he wanted time or forgot to further my suit, hath no will, as I hope, in respect of his promise, and less opportunity (I am sure) by reason of his absence, to hinder me than he hath had heretofore. Wherefore though I am loth to trouble you with many suits (who hath always been as ready to do me good as I could be forward to desire), yet since the hope of all my good dependeth principally upon your lordship, and the length of my imprisonment, together with the daily weakening of my body, and appairing [*sic*] of my health, will shortly put me in danger of my life (which is in this world my greatest good of all), I humbly beseech your lordship to move her Majesty for my liberty, and that it will please her to take compassion of that miserable and wretched life, wherein I have now two years and a quarter remained. And so, beseeching God to bless your lordship with all honour and happiness, and to give me grace ever while I live to acknowledge with all duty and thankfulness your lordship's fatherly care of me, &c.—This blessed festival day of St. Peter and St. Paul, 1587.

LETTER iv.

The Tower, 9 July, 1587.

R.O. *Domestic Elizabeth*, ccii, no. 51. Autograph. A strong plea for his liberation.

✠

My speciall good Lord: my lord of Lester tould this bearer that he had done me some good, but he would not tell him eyther what or how. I think his lordships meaning was that he had not done it already, but ment to do it ere it were long: which I trust he hath now perfourmed by his departure,* both in that he hath removed by it him-

* Leicester, after many months at court, returned in June to his command in the Netherlands.

self who hath bene the only hinderance to all the good, which I have bene long in hope & lyklyhood to receyue, & also for that he hath thereby giuen your lordship & the rest of my frends a fitt opportunity to moue hir Majesty for my deliuerance. The long tyme of myne imprisonment (being two yeares & now more then a quarter) the straightnes therof, being kept all this tyme from sight of eyther wyfe, frend, kinsfolk, child, or any other (saving such of my officers as were of necessity to come unto me) & the daungerouse syckness which I have alredy had together with the daunger of my lyfe which I have all this while hardly escaped by reason of my long & close imprisonment & this unholsome ayre: I lett passe, as thinges sufficyently knowne unto your lordship. How easily men have bene or wilbe induced to thinke that I am guilty of some heynouse offence which is not knowne by the contynuance of my restraynte, I know your lordship can better in your deepe iudgment conceyve then I infourme. And how redily some have taken opportunity by my being here in this place to make a praye & spoyle of me, I do feele daily, by having those lands taken, as concealed, which I & myne ancestors have many yeares quyetly possessed without interruption; & more should I have felt in this behalfe, if it had not ben for your lordship's most fatherly care & protection; who hath bene my princypall defence & only place of refuge in these tempestuous stormes against all malyciouse practyses & uncharitable dealing. Wherfore as I am to sue for an end of my misery unto your lordship (who in all my misery hath defended & protected me) so can I not choose a better tyme then now, when all impediments of my good are removed, my lord Admirall* returned, as your lordship wished, & hir Majesty in the house of my best frend,† & by that meanes I doute not in better dispositon to take compassion of that miserable estate which I have long indured; & to do me good in that place, where the most honorable ouner hath bene the author & worker of all the good which I have hitherto receyved. And thus comytting both myself & my sute to your lordship's honorable favoure & fatherly consideracion I remayne wholy your lordships in all duty & goodwill (as I am many wayes most bound) & beseech god to bless you with the contynuance of all honor & happines, for which I will never cease during lyfe to praye. This ixth day of July 1587.

Your lordship's faithfull sonne ever at your commaundement most assured. ARundell.

Addressed.—To the right honorable & my singular good lord, the lord Tresorer of England, dd.

Endorsed.—9 Julii 1587, E. of Arundell to my lord.

Letter v.

The Tower, 13 July, 1587.

R.O. *Domestic Elizabeth*, ccii, n. 54. Autograph. This letter continues the theme of the last. Lord Burghley has evidently demurred from acknowledging that Leicester was an enemy, and wishes his favour to be sought anew.

* Charles Howard, second Baron of Effingham, had been Lord High Admiral since 1585.

† Elizabeth was then visiting Lord Burghley at Theobalds, the great house for which James I afterwards exchanged Hatfield.

✠

My speciall good lord ; I have wrytten to my Lord Admirall according to your lordship's direction ; & as I find your fatherly care & love towards me so greate as I cañott my selfe wishe more, both in directing me with your grave advise, & furthering me with your honorable favoure, so doth it imboulden me humbly to beseech your lordship to peruse this letter here inclosed ; that eyther uppon your allowance it may be delyvered, or els in such sort stayde & altered as it shall seame best unto your good lordship. I have found my selfe hitherto rather put in hope by my Lord of Lester's good wordes, then any whitt furthered by his good deedes, & therefore to stay for his recommending of my sute I think were lyttle better then to put me in utter despaire of my delyverance. For your lordship, as I must nedes saye, *Facile facis quod semper facis*, so I must acknowledg all my good to proceede from you, & as I am more bound unto your lordship then to any man lyving, so I will during my lyfe acknowledg it unto you with all love, duty, & thankfullnes before any other man whatsoever. One reason to prove my antiquity in this place I could not omytt to sett downe, for that amongst all the prisoners here at this instant which (as I think) are xxv^{ty} at the least, I am the eldest ; excepting prestall & Mr. Shelley, both of them being convicted & condemned persons. And thus besecching god ever to bless your lordship with the contynuance of all honor & happines, & recommending myne humble sute to your most honorable favoure as the chiefest pillor whereuppon I rest the hope of all my good, I will not at this tyme farther trouble your lordship. This xiiith of July 1587.

Your lordship's faythfull sonne ever at your commaundment most-assured. ARundell.

Addressed.—To the right honorable & my singular good lord, the lord High Tresorer of England.

Endorsed.—xiij Julii 1587. The Erle of Arundell by Mr. Cornwallis.

LETTER vi.

The Tower, 21 July, 1587.

Hatfield Calendar, iii, p. 268. Abstract.

His miserable imprisonment for nearly two years and a half. Burghley's kindness. Craves that her Majesty may grant him the liberty of the Tower and access of his wife and children unto him. Prays Burghley to take some order in the petition sent by bearer, without which the Earl will have nothing left to maintain himself, his wife, and his children.

XLII.

THE COINER GREENE'S INFORMATIONS.

[Salisbury], 19 July, 1587.

B.M., *Harleian MS.*, cclxxxvi, ff. 116. 117. Official copy, endorsed with orders probably of Sir Francis Walsingham.

There is fine, and doubtless intentional, confusion in this story between secret crime and secret religion, crime getting much the best of it. But where the truth lies, who can tell ?

An arrested coiner is chiefly occupied in bringing accusations against an old man of eighty. The charges are mainly religious, including that of assisting the Earl's escape. Such charges were notoriously welcome to Elizabeth's government, and the motive of the criminal informer cannot be mistaken. Towards the end he admits that he has seen others coin money; and from the endorsement we learn that he was himself charged with having done so.

The Examinacyon of John Greene prysoner in Sarum taken the xix day of July 1587.

John Greene Ex^d^ sayethe that he was at Lymmyngton in the house of Edward Barnard wher he contynued one whole yeere, and resorted muche to Bartholomew Doves house, almost dayly. And sayethe that whyle he was at the sayed Doues house a man of the Erle of Arundelles came to the sayd Doue with letters, and spake to him the sayd Doue to helpe him provyde a boate for the transportynge of the sayd Erle. Wherupon the sayd Doue sent this Ex^t^ unto ij watermen to come and speake with him the sayd Doue. But going for them he found not the one of them at home, the other he found and procured to come to the sayd Doue who within an houre after came and had conference with the sayd Doue, who procured him to gett an other waterman to him to transporte the sayd Erle as he the sayd Doue told this ex^t^. And within iij dayes after the sayd Erle came to Lymmyngton, and ther took shippynge accordingly.

He sayethe farther that after the apprehensyon of the sayd Erle, a younge Semynary preeste, lyinge then at bushells howse, beinge the signe of the George in Lymyngton, came dayly to Doves (*sic*) howse, wher this examinate often sawe him, and wher he used dyvers tymes to say mass. which younge preest and Doue perswaded this examinate to be of their relligion, and shewed him their boxes with their idolles [Dove then makes him a long address on killing the Queen with this dagg. This examinate said he would not do it for 1000^li^ Dove continues to plead. (29 lines.) Dove goes to Church, but with a catholic prayer book, &c. The younge priest goes to a draper's shop, Dove knows his name.

f. 117. At Kingswood one Symon Younge, with whom he has seen person Tumber, who was driven out of Sussex for saying Mass, &c.

He has seen Ingram Greene coyn money—Also that William denbigh; William Buddinge and William Dewsborough coin money.]

[*Signed, the last signature being original.*]

Henry Knivett, John Greene, William Brouncker.

Orders on the back.

To be apprehended by Mr. Tho: West — Bartholomew Dove of Lymington in the new forest of hampshyre lxxx yeares old & Ingram Greene, gent dwelling in the Whitefriars, and in Hull and of great living and wealthe thereabouts.

To be apprehended by Ald. Martin — John Cowper of the white Friars in London gent. xxx yeres old. William Denbygh or Denham of foster lane in London goldsmith.

L. Shandos { William Dewsborowe of Glocester gent. xxviij yeres old. William Buddinge his companion, dwelling in Glo', xxv yeares old. All these of acquaintance one wth the other.

Endorsed.—Examination of John Grene coyner.

XLIII.

AN ADVERTISEMENT OF ROBERT ARDERN.

1 March, 1588.

R.O. *Domestic Elizabeth*, ccix, n. 3. Abstract.

To my Lord the Earl of Leicester—advertiyzes him. 1° Marcii, 1587.

1. That I came to James Faulkner's House, servant of Mr. Rokeby, when Mr. Ardern of Cotesfford, Oxfordshire, wished to see me because of our common name.

2. "Item when Mr. Ardern was gone, I asked the wife of the house, why Mr. Ardern came, she said to see some of the Lieutenant's servants who lodged upstairs, esp. Greenwood, the Erle of Arundell his keeper; another of them was keeper to Ardern prisoner in the Tower. Also she stated that Sir Thomas Jarrett his keeper reported that dyverse of the Lyvetenaunts men (who had keping of the prisoners in the Tower) were by persuasion and otherwayse fallen from our professyon unto popery," &c.

3. Item upon this I demaunded of mine oast if what his wyfe said were true—He confirms it is.

4. Mr. Ardern of Cotesfford often comes to converse with greenwood.

5. The wyfe further affirmed that "Mr. Ardern found fawlte uith some who eate meat in lent. . . . One said that ther was an Irishe man, one Powre a papyst, then in thir company that wolde eate no fleshe. Ardern answering that he lyked hym the better, and further affyrmed that he loved an honest papyst better then a protestante."

per Robert Ardern
of Barwycke.

XLIV.

EXAMINATIONS OF SEVEN PRISONERS.

The Tower, 25 May, 1588.

R.O. *Domestic Elizabeth*, ccx, n. 30. The examinees were all fellow-prisoners of the Earl, and some took their part in the transactions soon to follow.

Coram Owino Hopton, milite, et Richardo Younge, xxv° die Maii 1588.

Edward Dixon,* sonne to Mr. Dixon sometime a goldsmithe in Chepeside; saith that he was of Alsoullen Colledge in Oxforde where one Mr. White was his tutor & contynued there aboute vij yeares and proceeded batcheler of Arte; hee saith that he was determined to have gone beyonde the Seas at this time xij months paste and to have made his abode at Rheymes. The cause whereof was, for that he coulde not have conference with the Catholiks here in England; and

* Edward Dixon, *see* the Prison Lists, *C.R.S.*, ii, 282. From the Tower bills it appears that, in spite of his offers of conference, he was not freed, but continued prisoner till July, 1589. *C.R.S.*, iii, 29. Perhaps the same as "Digby," pp. 194, 272.

hee saith that once he had conference with Edmondes* the Jesuite in the Clinke, & that he was at Newgate with Wiggs† & other priests, but he spake with none of them; and he was at the Marshalsey and spake with Seceson‡ the prieste, and with James§ a priest in the Clinke. And the cause why he wente to these priests was to have had their comendacons unto the Seminary beyonde the Seas; and was taken by Mr. Topcliffe, & there was none prevye of his goinge but Edmondes, Seceson, and Roger Yardley.‖ But now he saith that hee is desirous to have conference with suche as bee learned and is very tractable, and wee truste in god that hee wilbe conformable to her majesties lawes and hath very good ffriends & kinsmen to whom he desires to bee comitted viz. Mr. Auditor Tompson, Mr. Garthe, Mr. Gilbert, Mr. Newman in Chepeside, and Mr. Sadler in Milkestrete.

William Bennett, an olde prieste, was comitted upon suspicon that hee did marry the Lord windsore at a masse, which he denieth; but he saith that hee maried Mr. Hollford and Mistress Mary Shelton at a masse at Mr. Allfordes house in Salsbury Courte and should have maried another man, who as hee thoughte was a serving-man, at an house neere to the Castle without Templebarre; but hee did not marry them nor see them, and hee desireth that he maye have [license to] lyve to his conscience, or els bee banished.

Jacob Vandermaest¶ borne at Brill hath bene in Englande foure yeares, and served Mr. Nowell prisoner in the Tower halfe a yeare who used him as his companion and all the coste of his abode in this lande hath bene at his oune charges. Hee is become a good christian and a protestante, and is contented if it mighte please her Matie that hee mighte remaine here a yeare or two or els to goe into Denmark; he hath done good service since god hath called him to bee a protestante as he saith, and so will doe.

Humffrey ffullwood** als ffotheringe borne in the parish of Lee in the Countye of Stafford, served Mr. Loveday and denieth to take his othe to defende hir Matie againste the Pope but hee saith that if he bee called he will defend his countrey and yet he will not take his othe hereto, he hath bene a goer from prison to prison to carry newes and was taken at the Coumpter in Wood streete cominge to the priests and recusants.

* Edmund, *i.e.*, Father Weston, was in the Clink in 1587. Morris, *Troubles*, ii, 194.

† William Wigges, Priest. His prison career may be followed in the prison lists, *C.R.S.*, ii. He appears to have survived Elizabeth, and to have been banished on King James's accession.

‡ Seceson is the same as Martin Sherson, a confessor who died in chains. *See* Challoner, 1874, p. 116. The name appears in the Prison Lists, *C.R.S.*, ii, also as Searson and Sereson.

§ This is the martyr priest, Edward James, sent to the Clink 1 May, 1586, *C.R.S.*, ii, 268.

‖ Roger Yardley, mentioned above, was a layman, who had acted as a guide to Seminarists.

¶ Vandermast appears in the Tower bills between 12 September, 1585, and Lady Day, 1588.

** Fullwood or Fulthering, afterwards let out on bonds because of his ill-health. *See* interesting details about him below, p. 195.

ANTHONY TUTCHENER* was accused of highe treason and examined by Mr. Attourney and Mr. Sollicitor, who have heretofore signified unto my Lordes of the Counsaile what they founde in him, and for that wee thinke him to bee a man in no wise reformed nor worthy to enioye his libertie without reformacon, wee did not further examine him.

ANDREW VAN METICO a dutchman was supposed to come over and to bee sente to kill the Quenes Matie and was examined by Mr. Randall, Mr. Kelligrewe, and Richard younge, and after desired to bee broughte before some of my Lords of the Counsaile, and was examined by Sir Frauncis Walsingham unto whom his cause is best knowen.

JEROME PAINE is endited for some matters of highe treason as is knowen to Mr. Attourney and Mr. Solicitor. Ric. Young.

Endorsed.—25 May 1588. The Examinations of certaine prisoners in the Tower.

CHRONOLOGY.—24. THE GREAT SPANISH OFFENSIVE OF 1588.

After the execution of the Scottish Queen began the great Spanish counter-stroke to the multifarious attacks made upon Spain by England during the previous thirty years; and in this great struggle the Earl of Arundel was most unjustly involved, helpless prisoner and incapable of action though he was. In the end he was arraigned, condemned to forfeiture of goods and to living death in the Tower dungeons.

Though Spain had many many causes for fighting in 1588, it is not easy to give precise explanations why she acted now rather than thirty years earlier. The broad features of policy, however, are clear.

1558–1562. At the time of Queen Mary Tudor's death, Philip was King Consort of England, and anxious to continue the alliance. He offered to marry Elizabeth, stood her friend while she pulled down the ancient church, and supported her with all his diplomatic power, while she upset the power of Mary Stuart in Scotland by promoting a Protestant rebellion there. Philip's reason was fear of his chief rival, France, with which Mary Stuart was allied.

1562–1567. Mary Stuart returned a widow to Scotland, poor and weak, but a constant Catholic and heiress to the English throne. Philip, though now much more friendly to her, kept his ambassador at London, and endeavoured by friendly means to overcome the grave troubles caused by English pirates, &c.

1568. Mary Stuart a prisoner in Elizabeth's hands, while the English encouraged troubles in the Spanish Netherlands, which were beginning to revolt, she also seized Spanish treasure ships which put into her harbours. Philip, however, still continued friendly.

1570. Pope St. Pius V excommunicated Elizabeth without first informing Philip. He had acted rapidly, as he had to do, if the declaratory sentence was to come out before the catholic Rising of the North. But the posts of that day were slow indeed. It took two months to send to Rome then; more than to New Zealand now. The result was that the insurrection had been crushed before Pius heard of its outbreak. The excommunication could not be executed. Philip was vexed; he respectfully remonstrated. The situation was growing worse.

1571–1585. During all this time the troubles of the Netherlands steadily increased, and English help was constantly given to the insurgents. At first Elizabeth had been very averse to the insurrection, but she was gradually

* Tuchenor's name appears below the Earl's in his great inscription in the Beauchamp Tower, p. 354.

persuaded to favour it with larger and larger aids and subsidies. At last Philip had found in Alessandro Farnese, Prince of Parma, a general of real capacity, who, slowly but steadily, won back the revolted towns and provinces, and finally, 17 August, 1585, Antwerp from the Dutch. Elizabeth's response was to undertake openly the protection of the Protestant Netherlands, and sent an English army and an English fleet to support them.

At the same time Sir Francis Drake, long a rover or a pirate according to morality of the nineteenth century, sailed with a strong fleet to the West Indies, where he sacked, ravaged and burnt many Spanish settlements and harbours (14 September, 1585).

Thus, more or less simultaneously, the English offensive reached its maximum simultaneously with the Spanish development of power for retaliation.

King Philip was so silent and so slow that we nowhere find in his correspondence a definite point at which he declared his resolve to try conclusions with Elizabeth. But while he had previously refused aid to all offers of insurrection, we hear no more of such refusals now, and negotiations began very soon with the new Pope Sixtus V (elected 24 April, 1585). No documents relating to these first steps are yet published. A paper among the Roman Transcripts, R.O., dated 9 April, 1586, says that Philip, moved by Drake's plundering the West Indies, "has declared" that he will undertake the enterprise of England. But it was 8 September, 1586, before Sixtus made an offer to Philip, on which negotiations could begin (Simancas, Estado, *Roma*, 949, 5); and by 29 June, 1587, the Pope's proposals were signed (Meyer, 1916, p. 523) and ratified by Philip, 22 February, 1588. All the preparations proceeded in the same leisurely fashion.

La Armada Grande (not known in Spain as "Invincible") sailed first on 18/28 May, but had immediately to return and refit, leaving finally July 12/22 to 13/23 (Papal Nuncio in Spain, dispatches of 4 June and 29 July).

It was sighted off the Lizard on 19–29 July, and on Saturday, the 20th (from here we shall be following the English calendar only), turned east and sailed towards Flanders. The sixty fighting ships were arranged like a great half-moon, with the transports in the centre, protected by the horns. In this formation they took a week to sail up the Channel, and anchored Saturday, the 27th, off Calais. But fire-ships having been set to drift in amongst them by the English, the fleet stood out to sea again, and here on Monday, 29 July, took place the decisive battle of Gravelines. Both sides fought with the greatest courage. Only one Spanish ship is reported to have surrendered, though they had all the worst of the fighting. But their lines were broken, and they drifted apart leaking, maimed, in disorder. Those which kept with the admiral turned north, and with many losses eventually sailed home round Scotland, reaching Santander on 13 September.

On 17 August Leicester, at Elizabeth's orders, disbanded the army which had assembled at Tilbury. On the 20th there was a great thanksgiving service at St. Paul's, which was renewed on 8 September (Elizabeth's birthday), when the flags captured from the Armada were shown.

On 28 and 30 August began the great massacre of priests, when some thirty priests and laymen suffered in four batches. *C.R.S.*, v, 150.

CHRONOLOGY—25. THE ALLEGED BULL OF EXCOMMUNICATION AGAINST ELIZABETH.

In the correspondence of Philip with Sixtus V (so far as it is yet accessible) no mention has been found of Elizabeth's excommunication. But this was probably due to there being no question between them that an excommunication would be issued at the opportune moment, which moment, however, never came. Nevertheless a rumour, and sometimes a very persistent

one, was current that such an excommunication had been launched. One of the counts in the Earl's indictment was that he had petitioned for it, and knew of its existence. This false report must be traced back to its source.

The Pope and the King of Spain, in order to secure the best information within their reach about England, had called to Rome Dr. Allen and Father Robert Persons, and from this time their opinions were officially sought on many English subjects. In particular, we find Olivares, the Spanish ambassador at Rome, writing on 23rd March, 1586, that he has encouraged Allen and Persons to write papers upon English affairs. *Letters of Cardinal Allen*, pp. xc and 275; not in the *Spanish Calendar*.

On 12 June the Ambassador sends Allen's *Defence of Sir William Stanley for the surrender of Deventer*, *Calendar*, p. 100.

On 27 June King Philip wrote to Olivares to press for some Papal declaration on the righteousness of his war against England, and for a Jubilee for those who gave assistance. *Calendar*, p. 112.

Eventually two papers were drawn up by Allen on the righteousness of the war. The following series of notes will let us see the principal steps, though a complete catena of documents is not yet accessible.

2 March, 1588, Olivares to Philip. "The Pope does not yet fully believe in the seriousness of your resolution for war, but he will grant the jubilee when the time shall come. I caused Allen some time ago, according to your letter of 26 August, to draw up a memorandum with justifications of the enterprise." *Calendar*, p. 227.

4 April, 1588, Olivares to Philip. "He has sent Allen's paper to the Prince of Parma." *Calendar*, p. 254.

13 May, Parma to Philip. "The count de Olivares has sent me from Rome a *Discourse* and *Declaration*, drawn up in English by Allen, with the object referred to [*i.e.*, the reform of religion], in order that it may be printed and spread over England at the time of the invasion. It shall be first translated, so that we may see whether there is anything to suppress or add to it, and it shall then be printed in the form of a short proclamation, containing the principal heads of the Discourse, as Allen himself agrees." *Calendar*, p. 289. The original is indicated as at Simancas, Estado 594.

Here we see that Parma has on 13 May received, but not yet read, Allen's two papers. In the latter part of his letter he speaks of one paper only. It is inferentially clear that he means *The Declaration*, and this he means to print as a proclamation, *i.e.*, broadside.

From evidence, which will appear as we proceed, we find that *The Declaration* was printed broadside immediately afterwards at Antwerp. The *Discourse* or *Admonition* was also printed there in the form of a small octavo book. The Government, as we shall see, endeavoured to make the Earl responsible for this *Declaration*, which they malitiously called the Bull, and cited long passages from it in their indictment of him. The following citations from the evidence at the trial give details, probably reliable, about the printing of the two papers.

"The Bull of Excommunication against her Majesty [*i.e.*, *The Declaration*] was read, and divers passages out of a villanous booke set forth by Cardinal Allen [*i.e.*, *The Admonition*], whereof a great number were printed in Antwerp, and one copy only recovered, by means of one that served the press, who at the printing did allwayes convey a shete of every leaf in his bosom, and when the book was finished conveyed himself away, and brought the booke to Mr. Henry Killigrewe, councillor of her Majesty to the states." *Below*, p. 270.

A different version of this evidence is given in the R.O. report (*Below*, p. 282). Though generally shorter than the above, it adds this clause:

"The examination of Piero [was cited], who confessed he printed this book at Whitsuntide was xii months, at the request of a chaplain of Dr. Allen's."

This Piero seems to be the same as Pero Palete, interpreter for a Dutchman, who is obscurely mentioned as making some deposition at the trial on this matter, *below*, p. 288.

The published titles of these two papers thus printed are :—

1. *An Admonition to the Nobility and People of England and Ireland, concerning the present warres made for the execution of his Holines Sentence, by the highe and mightie Kinge Catholike of Spaine.* By the Cardinal of Englande, A° M.D.LXXXVIII., dated, "From my lodginge in the Palace of S. Peter in Rome, this 28. of Aprill. 1588." In Eupator [*i.e.*, J. Mendham]'s reprint, 1842, which professes to give page for page and line for line, it covers 60 pages, about 16,000 words. It will here be called "The Admonition." There is a summary of it in Lingard's *History*, vi, Note x. A copy of the original is in the British Museum, G 6067.

2. *A Declaration of the Sentence and Deposition of Elizabeth, the usurper and pretended Quene of England.*

An original copy was in the hands of Canon Tierney, and was printed by him in the third volume of his edition of *Dodd's Church History*, pp. xliv to xlviii. Unfortunately the whereabouts of this copy cannot at present be traced. It was used for drawing up the indictment of the Earl. This document is printed below and the parallel passages are there cited. The following is a summary of this document :—

(P. xliv) : Pope Sixtus V, not having, through the rebellions of Henry and of Elizabeth, the usual means of correcting abuses, hath dealt (xlv) with Philip, King of Spain. The Pope's motives are—Elizabeth's heresy, her bastardy, her usurpation, her sacrileges, her oppressions (xlvi), her procuring rebellions, her execution of Mary Stuart, her abolition of the sacraments, her disgracing the nobility, her exercise of absolute tyranny. The Pope therefore renews the sentences of Popes Pius V and Gregory XIII (xlvii). Let it be known that all are to join with the Prince of Parma. There is no intention of conquest or of making changes. Heretics are to be given up (xlviii). There is to be free passage to the Catholic Camp. A plenary indulgence is granted to all that assist.

In the first paragraph the sentence is said to have been "solicited by the zealous and importunate instance of the most principal persons in the same [country]," and the government maintained that this proved that the Earl of Arundel had requested it, and that he was responsible for its publication.

The correspondence which follows shows how copies of these papers came into the hands of Elizabeth's government, and what steps they took thereupon.

XLV.

CORRESPONDENCE ABOUT THE ALLEGED BULL.

i. Henry Killigrew to Lord Burghley.

[The Hague], 6 June, 1588.

R.O., *Holland*, xxiv, f. 68, Autograph.

Sir—I have dealt with Mons[r] D'aldegonde the Pensionarie of this Towne (of whome I had that traiterous libell inclosed in my pacquett to your L.) and with Bruin her Majestie's victualler [*margin*, who hath good acquaintance in Antwerpe by reason of his wife] to learne by all meanes theie can where it was printed, by whome it shalbe dispersed abroad, and whether theie could helpe me to anie more of the copies.

I vnderstand alreadie thus farre by the Pensionarie of this Towne, that it is printed in Antwerpe by order from the Duke, but secretlie, and is to be spread abroad among the fugitive English and Irish. I have desired him to write vnto the man at Antwerpe, who sent him the book, to see if he can giue anie intelligence by description of their stature, countenance or otherwise of them which shall receave those bookes and geue them abroad in England, whereof as I shall learne anie farther, I will aduertise your Lordship. 6 Jun. 88.

Your Honours most bounden,

["*H*" *and* "*K*" *have a common upright stroke.*] H. KYLLYGREW.

ii. LORD BURGHLEY TO SIR FRANCIS WALSINGHAM.

12 June, 1588.

R.O., *Domestic Elizabeth*, ccxi, n. 15, 1 page, holograph. Written on receipt of *The Admonition.*

Sir. I receaved this daye a letter from my brother Killigrew, with a vile book packed therwith. I have red the book, with much indignation, and untill I did now read over agayn his letter, I did imagyn that he had sent on of these vile Carnalls libells to you; but by a few words in the x lyne of his letter, I dowt he hath not sent ether it or any letter to you. And therfor I send you both the letter & the book. Wherof good consideration wold be had, how both to suppress it from being publyck here, and to have some answer made to the reprooff and remedy.

Suerly I cold wish it forbydden, as the tyme requireth; uppon payn of treason to any that shall come to have it and not destroy it, without Communicating it to any but to a Counsellor.

For answer* I cold wish, some expert lerned man wold fayne an answer as from a nombre of Catholiques that notuithstandyng ther evill Contentment for Relligion, shuld profess ther obedience and promice with ther lyves and power ageynst all strang forces offryng to land in this realm. And to advertise the Cardinall, that he is deceaved in his opinion to think that any noble man in this land or any Gentleman of possession will favor the invasion of the realm. And that such a rash wrytyng may gyve cause of danger of liff, to all† that ar reputed Catholiques, specially to all recusants. In some such sort, an argument might be framed, to discoradg ther heat. But I

* This answer he eventually wrote himself, being the well-known *Letter to Don Bernardino di Mendoza.* More than one draft of it in Burghley's hand are among the Lansdowne MSS., ciii, n. 55 (the second draft begins at f. 147). Written in the person of a catholic, with all Burghley's craft and malice, it has constantly been mistaken by protestants for a genuinely catholic work. So Strype, Froude, Law, Meyer (but this is corrected in his second edition), *The Venetian Calendar*, &c., &c. See *Month*, 1911, i, 300, 531.

Amongst infinite other errors, the writer states that *many* copies of the Bull (*i.e.*, *The Declaration*) had been introduced into England. It was probably through this widely spread letter (which was translated into foreign languages and circulated on the Continent) that the false idea of the Pope having again excommunicated Elizabeth was popularised among non-catholics and anti-papalists.

† Notice that Lord Burghley himself suggests, even at this date, the idea of a general slaughter of catholics.

may herin err, for I wryte in Choller. And so prayeng you to take it, in hast, from my Cabyn, xij Junii 1588.

Yours assure :

W. Burghley.

Addressed.—To the R. honorable Mr. Sec. Walsyngham.
Endorsed.—12 June 1588. From the L. Trer.

iii. Lord Burghley to Sir Francis Walsingham.
24 June, 1588.

R.O., *Domestic Elizabeth*, ccxi, 56, Autograph. Lord Burghley has now received a copy of *The Declaration* and has named it "a Bull," a denomination which it ever after retained in Government language. Though any child, who understood the terms, could tell that this was not a bull, Allen's paper was certainly written with the idea that a bull of similar import would be made public before this *Declaration* was published. This, however, cannot excuse the continuous and injurious deceptions practised by the Government on the false pretence that they have "a bull."

S^r^. I have receaved with your letter a Copy of a roryng hellish Bull which yow wryte to be prynted in Antwerp to ye nombre of xij ^m^: the contents whereof I do note to be, ye sumary of D. Allyns exhortation as to ye deprivation of hir Ma^ty^, and overtur of Curtesy to ye people y^t^ will fall down afor this ragyng bull.

Suerly the publication hereof wold be impeached, though all men of Judgment, not corrupted w^t^ romysh poyson, will be rather styrred to defend ye Q. person and ther contrey, than to offend. I have perused Mr. Sollictor's draught of a proclamation which I lyke very well, and allow ye manner of prohibition of ye same, better than in my wrytyng was conteyned, and yet my devise in y^t^ poynt, *may in some sort be added to his*, for ye destroying or bryngyng of ye same to y lieutenauntes, who are meter men than ye Custos brevium named by hym. I do retorn your letters to be considered and published.

In my writing when you shall reade it, you shall fynd a purpose to notify to the people both all her formar actions in dealyng in Scotland and france, and now in ye low Contreys, and hir present preparations to defend hir country, for yt hir actions ar by ye Enemys abrod published as ye originall Causes of ye Civill troubles in all forayn countres. [He does not find enclosed a copy of a letter from France which was promised, and hopes that the Council will meet on Wednesday at St. James's or in some place near London.] And so I end in crepusculo. 24 Junij a dark night afore a black morning for me and mine,*

Yours assuredly.

W. Burghley.

Sealed and Addressed, To the Right honorable my very good lord, Mr. Secretary Walsingham,

With this letter is the draft of a Proclamation (ccxi, n. 56, i), with corrections by Lord Burghley. It intended to stop the circulation of the supposed Bull, which, it is falsely said, had been imported in large quantities, with other libels. This composition, endorsed "not published," is identical in object with the proclamation dated 1 July, which is printed by Strype (*Annals*,

* This may possibly refer to the burial of his daughter, Anne, who had married the Earl of Oxford, and had died (says Doyle) 5 June, 1588.

III. ii, *see below*). But Burghley's composition is the more intemperate of the two.

It begins, "Although the Queen's Majestie doth assure herself. . . ." The libellers pretend that "the preparations of warre that have long been in making . . . to invade this Realme are onlie for the releef and Comfort of such as theie accompt Catholiques, beinge in trewthe hie Traitors: whose profession is [certainly known, *interlined in Lord Burghley's hand*] in favour of the Pope, whom theie make their God on yearthe, to deceive their allegiance to her Maiestie. . . ."

Allen's book is thus spoken of: "A seditious libell, deuised in Rome, about Aprill last and now in June, printed and published in his name in the lowe Countries, and as he pretendeth the same to be done by auctoritie of the Pope . . . And thowgh this Traiterous vile manner of writing be to be contemned as a matter but as a blast or puffe of a beggerlie scholler, and Traitor, yet he being quallefied with the Popes greatest dignitie that he can geve and that the K. of Spaine also is knowen to have been made priuie of this his lewde writing, theare is reason to interprett this libell to be a seditious [interlined in Lord Burghley's hand] trayterous Trompett to awake not onelie Rebells abroade, but speciallie all traiterouslie disposed Subiects at home, to yeld all theire wittes and powers by all kind of Treasons, both to trowble the peace within the Realme and to geue Aide and Comfort to all that shall offer to make Invasions."

The proclamation "against bringing in Bulls from the Sea of Rome," published at Greenwich, 1 July, 1588, of which there is an original copy in the British Museum, G. 6463, 259. is published by Strype, *Annals*, III, ii. (Oxford, 1824), pp. 87–92. He calls it "against traitorous books." In regard to the *Declaration*, it says: "Having also certain intelligence that Sixtus the fifth, now pope of Rome, had of late published and set forth a most malicious and detestable bull or libel . . . and that sundry other most false . . . libels, books, pamphlets were also lately contrived . . . Therefore her Majestie thought good to admonish her faithful subjects, &c."

iv. H. Killigrew to Lord Burghley.

The Hague, 2 July, 1588.

R.O., *Holland*, xxv, f. 4. This letter gives the true account of the punishment of the thief who stole the copy of the Declaration sent to England, which was the cause of so many injuries and deceptions. Later reports have misrepresented this. Thus the adventurer, John Cecil, writes to Lord Burghley, 23 March, 1591 (R.O., *Dom. Eliz.*, ccxxxviii, n. 168), of "the book and proclamation of the Cardinal, that should have come in with the army of Spaine . . . which booke I think your Lordship hathe. Hyt was taken at Antwerpe, and the booke bynder put to death for conveying hyt, as in Rome was reported." (There are some inaccuracies in the *Calendar* report of this.)

[He has dealt with Pensionarie Roels for getting so many of Allen's books as was possible, By his letter & Sr Aldegonde's you may see] what a mischance befell in the search; and what daunger the printers seruaunt fell into wch gave out the first copie; for whose deliverie out of prison the poore Church of Antwerpe were constrained to disbourse 24 pounds flemish, whereof theie desire me to procure paiement backe againe.

[Asks an answer; he cannot pay himself.] The pensionarie Roels of whome I had the bookes tolde me it was expresselie sent that her ma^tie^ might be informed of the enemies pretence against her: [Praise

of S^t^. Aldegonde, who ought to be supported. The Hague, 30 June and 2 July.]

P.S.—The Councell are sending to Germany and Denmark the Jubilee obtained by Spain, to show that Papists are banding together.

v. Archbishop Whitgift to Mr. S. N.
27, 28 June, 1588.

Among Beale's notes below, p. 206, is the following :—

"The A. B. letters for the Bull to Mr. S. N., 27 & 28 Junii, ut patet per literas."

The letter in question is not forthcoming, but when one reads this note and the passage which it is intended to illustrate, the meaning is clear. Arundel is reported to have "told of the new Bull, against her Majestie of excommunication, whereof he said the Archbishop of Canterbury had the copie." Beale's note on this, cited above, must mean that Beale had a letter of Archbishop Whitgift, addressed to Mr. S. N., about "the bull," and dated 27, 28 June, as was clear from the letter itself.

How the Archbishop knew about "the Bull" (Lord Burghley's title for *The Declaration*) it is not difficult to make conjecture. And, again, there can be little wonder, when courtiers and ecclesiastics high in place write about "the Bull" to third persons, that the news should spread among those interested in it. That such news should have been sent in to the Earl can, under such circumstances, cause no marvel.

In the records of the Earl's arraignment we find, casually reported, the following sentence: "One Barrard, a man in the same case continually frequenting mass in the Tower, and delighted with the hearing of a bull published against her Majestie" (*Below*, p. 283).

There was no Barrard among the prisoners at the Tower. John Barton (? olim S.J.) seems to be intended (*C.R.S.*, ii., 276). This report again shows that "the Bull" was widely talked about.

vi. Valentine Dale, D.C.L., to Queen Elizabeth.
[? Ostend], 12 July, 1588.

B.M., *Vespasian*, cviii, f. 165.

One of the preludes to the Armada was the mission of Dr. Dale and others to the Duke of Parma. Camden states that he was sent, *inter alia*, to remonstrate about Allen's *Defence of Stanley* and about the *Bull* (p. 364 in the edition of 1635). Dale's report shows what part was played in secret by the alleged bull, at Elizabeth's own command. Insisting as her Government did on their deceitful description of *The Declaration*, it was no wonder that Parma should have answered them according to their folly.

A Coppy of Doctor Dale's Report to the Queenes Mat^ie^,

Most gracious Sovereigne, Uppon the receipt of yor ma^ty^ letters of the first of this present [July] I made all the speede that possiblie I might to the Duke being at Bruges, with such secrecie that noe living man on this side the sea did know the cause of my going but my Lo. Earle of Derby and my Lo. Cobham onely according unto yor Ma^ty^ Commandment, until I came to the Duke himself; pretending to the rest of yor ma^ty^ and to the King's commissioners that yor ma^ts^ pleasure was to have satisfacion from the Duke himself of three points that were in difference betweene yor ma^ts^ commissioners and the kinges.

I arrived att Bruges uppon the vij and had audience the next morning where after some compliments . . . I made my entrie that yor

ma^{ty} had veric great opynion of his honorable dealinge. . . . Yo^{r} ma^{ty} had given him sincere satisfaction on one point, desired it on another from himself.

And seing him in expectation to know what it was. I said there was a book printed att Antwerp, and set forth by a fugitive of Englande, which calleth himselfe a Cardinall (wherewith he began diligentlie to listen). This book said I is an admonition to all the Nobilitie and people of England and Ireland touching the execution of the sentence* of the Pope against the Q, my soueraigne and mistresse, the wch the K. Catholik hath embraced (as this Cardinall writeth) and hath appointed your Altesse for the Chief of the enterprise,

There is also a bull sett forth by this Pope Sextus the Vth whereby the pope doth pronounce a sentence to declare my said soveraigne and mistress illegitimate and an usurper with other matter, to odious for any prince or gentleman to name or hear and not to be tolerated. In which bull the pope saith that he hath delt with the K. Catholik to employ all the meanes that he hath to the deprivation and deposition of my said soveraign and mistress, and doth charg her Ma^{ts} subiects to assist the Armye appointed by the kinge Catholik for that purpose under the Conduct of yor Altesse, which things her Ma^{ty} good subiects cannot endure, neither will harken to anie peace with anie that shalbe so evill affected unto her Ma^{ie}, but determyned resolutlie all to spend their lives att her Ma^{ts} feete in the quarrell,

Therefore her Matie wold be satysfied from yor Altesse in that point. . . .

Upon this the duke settled himself to speake and first said he was glad yor Matie or anie of yor Commissioners did take in good parte his good will towards them . . . ffor the matter of the treatie he had referred it to the Commissioners, yet yf I wold give him any thinge in writinge he wold be glad to see it to geve me the better answere and desired me soe to doe.

ffor the book he had never read it, nor sene it, nor did take heed to it. It might be yor Mat^{ie} might have understanding of it, whom yt concerneth, but for his parte he had not to doe with it; nor wold not lett men to write nor print att their pleasure and was att commandment of his master onely, and had regard to the commandments that he should receive of him and not otherwise.

Then because he answered nothing to the Bull, I replied that, if it were soe, there were a Warr purposelie taken in hand att the instance of the pope, this treatie were but vaine, and then yor Matie shoulde be constrained to revoke yor commissioners. . . .

And said further that he did not know nor esteeme, what Bull the pope had sett forth, nor did undertake anie thing for him; But onelie for the mal ententie that hath ben between his master and yor Matie, as a soldier must doe, all the commandments of his master; and that for his part he had had alwaies such respect to yor Matie, being so noble a Q., that he wold not harken to anie thing that might be reproachfull to yor Matie, but is desirous to doe yor Ma^{ie} service

* MS Service.

after his master, in any thing; and hoped yor Ma^ti wold take his word for yor satisfaction in that point.

[To avoid the calamity of war he had persuaded his master to conclude all peaceably; which is more to be desired by you than by us. For if K. of Spain loses a battle he is far off. & can recover; if you lose the battle you may lose kingdom & all.

"One battle wouldn't do it," I replied.

"Well, that's in God's hand," said he.

"So it is," quoth I.

I had nothing to give him in writing as I was only one of the Commissioners. In the afternoon I took him the articles proposed by the Commissioners at Barborough that he might see you took those towns not for anie commoditie to yourself but for safetie onelie,]

Almightie god direct yor Maties Counsailes and preserve yor most Excelent Matie. [No signature.]

Chronology.—26. Subsequent History of the Alleged Bull.

i. September, 1588, Burghley began to circulate his crafty *Letter to Don Bernardino de Mendoza*, written in the person of a Catholic to defend his own persecuting policy (*see above*, p. 169). Widely accepted as a genuine Catholic work, it caused the impression that Elizabeth had been again excommunicated, as, of course, she well deserved to be.

ii. September, 1596, after the sack of Cadiz by the English, the Spaniards bethought themselves of counter attacks; and Fathers Persons and Creswell, who were then in Spain, on being consulted, reverted, *inter alia*, to plans for a new proclamation on the basis of Allen's *Declaration*. *Spanish Calendar*, 1587–1603, pp. 631–636. At p. 635 there is a draft for a new edition, and Father Creswell sends with it a covering letter, in which he says:—

"My superiors having sent me from Rome to Flanders at the instance of Cardinal Allen and Count de Olivares, to serve the Duke of Parma in the English enterprise in 1588, his Highness ordered me to write out the Edict, that was then printed in English, of which thousands of copies are still deposited at Dunkirk. . . . Madrid, 12 September, 1596." *Ibid.*, p. 635.

iii. 1601. During the "Archpriest Controversy" William Watson, priest, but bizarre and unreliable in character, occasionally mentions in his books the excommunication by Pope Sixtus. He probably drew his first ideas of it from the *Letter to Mendoza*, but he eventually rejects the fact, though in his own fanciful way.

The *Declaration*, he says, is "a meere slaunder," devised by our common enemies [? the Jesuits, against whom he had the most extravagant prejudices] "to make Catholikes odious." The word of Cardinal Allen and Persons could never have sufficed with the Pope as a ground for issuing an excommunication, yet no other authority for it is given. He then cites five passages from Allen's *Admonition*, which was produced while the Cardinal stood "bewitched by that Machiavellian Iesuite," Father Persons. *A decacordon of ten Quodlibetical questions*, 1602, p. 253.

Earlier on p. 240 he had written: "Cardinal Allen compiled a book at the importunate suit of Father Parsons. . . . The first parte of the booke was intituled, *A declaration of the sentence*, &c. The second, *An Admonition to the Nobilitie and people of England*."* After the Armada Persons got them

*This shows that Watson had never seen *The Declaration*, which is a proclamation, printed broadside, and as such unthinkable as the first part of the octavo *Admonition*. But the latter he had seen, and quotes.

burnt at once [error], saving some few that had been sent abroad beforehand to his friends, and such as had been conveyed away by the printer and others in secret wise. "Some whereof, ferrying over the maine were wafted to the South Ocean Shores, and came to divers their hands that durst not avouch their harbour." Father Curry said it would bite in time to come [abuse follows]. "Well, for that I understand the Council have got a sight of it, and lyke enough by some Iesuites meanes, now that the matter fadges not as they would, to have the fault laid wholly upon the Cardinal's neck." p. 240.

Though extraordinarily prejudiced, wayward and unpriestlike, we see that Watson was able to detect Burghley's deceit in part. He saw that there was at least no excommunication, though his arguments are full of other strange mistakes, characteristic of his own peculiar shortcomings.

For Watson, see *D.N.B.*; Law, *Archpriest Controversy* and *Jesuits and Seculars*; Pollen, *Institution of Archpriest Blackwell*, 1916, pp. 58 and 99.

iv. Just before Watson wrote, the alleged Bull had taken a new lease of life in a Latin translation, published in Holland by Emanuel van Meteren, *Historia Belgica nostri potissimum temporis* [no place or date in British Museum copy 591, f. 8]. The alleged Bull occurs at pp. 473–475, and the author says that Allen should have proclaimed the Bull.

v. Famianus Strada, *De Bello Belgico*, Rome, 1632, pp. 397, 398, says vaguely that Sixtus joined Philip, "postquam coelestibus armis frustra corripuerat." But on the whole he does not seem to believe in the alleged Bull.

De Sponde (Spondanus), *Annalium Ecclesiasticorum continuatio* (first edition 1639, then at Lyons, 1678), says at f. 698, "causa huius suscipiendae expeditionis in Pontificio diplomate, quod simul ac exercitus in Angliam excensionem fecissent, promulgari debebat, declaratur." So he seems to accept the Bull, though without quoting it.

vi. Gregorio Leti, *Vita di Sisto V*, Parte II, lib. iv, p. 302, of the Amsterdam edition, 1686, quotes Strada, and does not give the Bull. But in his *Vie d'Elizabeth* [I know the French translation only], Amsterdam, 1684, p. 206, he prints a full translation of the alleged Bull, "Bulle d'Excommunication de Sixte V contre la Reine Elizabeth." Leti is very romantic, saying, for instance, that Sixtus urged Philip to war, because he wanted him to be defeated.

vii. Casimir Tempesti, of the Order of Minorites Conventual, the Order of Sixtus V, is still more imaginative. He says that the excommunication was renewed "dopo una speciale consulta co' Cardinali," and then he gives a summary of the alleged Bull. At the end he says that Allen translated it from Latin into English. *Vita di Sisto Quinto*, 1754, ii, 67.

viii. 1840. M. A. Tierney, *Dodd's Church History of England*, iii, p. 29 n., accepts the existence of the Bull, on the authority of Tempesti; but he also printed in his Appendix, pp. xliv to xlviii, the *Declaration* itself, from a copy which is not at present forthcoming. He does not suspect, however, that these two are the same thing.

XLVI.

SIR WILLIAM WAAD'S DISCOURSE

and Collection of documents relating to the Arraignment of the Earl of Arundel.

This collection of papers is at present contained in MS. Yelverton XXXIII, in the possession of Lady Calthorpe. (For contents of the volume, *see* Edward Bernard, *Catalogi MSS. Angliae*, 1697, § 3, cod. 5272.) No definite date can be assigned for its compilation, but Robert Beale, whose editorial

notes—written *manu propria*—appear upon the papers, died in 1601, which must therefore be the latest date possible. But the chief compiler was William, afterwards Sir William Waad, who, like Beale, was one of the Clerks of the Privy Council, and had played his part in the actual proceedings. Beale was a great collector of manuscripts; the Yelverton collection was begun by him, and has its name from his son-in-law, Sir Henry Yelverton, to whom the Calthorpe family has succeeded. In this and in other volumes of the collection, there are other long reports on State trials, &c. Vol. xxxi, for instance, which I have inspected, is devoted to Mary Stuart. It is very similar in structure to vol. xxxiii, and also has manuscript notes by Beale.

We do not know either why or when Waad wrote his "Discourse," or why Beale calls it "Another" Discourse. One's first impression is that Waad would have written it for his colleague. But it need not have been so. It may have been an incomplete draft, originally written for some other person, or even for the press, but left in the Howard dossier, which was afterwards lent to Beale. The Discourse is not complete, nor is the collection of *pièces justificatives* which support it. Perhaps this was fortunate. We can see that Waad edited his documents, just as he forced his witnesses to re-edit their confessions, eliminating what was favourable to his victim. If he had completely worked out his plans to their conclusion, he would presumably have cut down still further what was favourable to the Earl in the dossier which he handed on to Beale, and of which Beale had a copy made for himself All the papers seem to be copies made by Beale's clerks, and Beale's own hand appears at pp. 73, 85, 94b.

Turning now to the character of our author Waad, we find him altogether devoted to the Government side. His father and he had made themselves on the ruins of the old order in the service of the Tudors, and regard their cause as that of Heaven. This we see at every turn. The Queen is a "most provident prince," full of "princely wisdom," and "still careful of the good government of the realm, God revealing to her many treasons, did lay open the most undutiful behaviour of the Earl of Arundel." She is represented as directing every step in the case; and the story ends with invitations to the Earl to curse the Pope, her enemy. Similar laudations are lavished on Councillors, "Great" and "honourable personages"; "grave," "wise and painful," of "singular wisdom, virtue and sincerity," &c.

The title-page of the manuscript at f. 73 is in Beale's hand, and runs as follows:—

Gathered by mr. W. Waad, one of the Clerks of ye Councell, who was used in the said examinations, and to attend upon Tho: Heneage and others her Maj^s^ councellors appointed for that Purpose.

A COLLECTION TOUCHINGE THE ATTAINDER OF PHILIPP HOWARD, EARL OF ARUNDELL, 1589.

The following memorandum, also in Beale's hand, is on a loose sheet inserted at the title-page:—

In the Earle of Arundell's arraignment there lack,

Bennets letter to Ithell.	Snowdens Confession.
Shelleys Confession.	Davyes Confession.
Tuchinors Confession.	Rob Milbourne.
Shelley's confession [cancelled].	The Points of the Indictment.

On the back of this memorandum:—

A letter of Grately.	Edmunds confession the Jesuite.
Morgans lre to ye S. Q.	The Erles lre to ye Queene.

An other discours made by Mr. Waad.

Yelverton MS., xxxiii, ff. 85–91, the title is in Beale's hand :—

1] After the dispersinge of the Spanishe fleete, and happie successe it pleased God to grant her Majestie in her iust defence against so huge forces and preparacions of the Enemie, the estate of the realme being quieted, and her Majesties sea and land forces retorned to their ports, houses and countyes whence they came, Her Majestie, lyke a most prouident prince, beinge still carefull of the good government of the realme and to redresse sondrie disorders, amongest other thinges having ben enformed, that all the prisons within and about the citie of London by the meanes of Jesuits, Seminaryes, and such badd race of people were become corrupt and out of order: Namelie that the Tower of London a place of greate importance, not only where her Majesties treasure, records, municions, jewells and other thinges of greate waighte are kept, but the chiefest prison, where principall offenders are restrayned of libertie, was infected by practise, corruption and greate abuse. For whiche respecte her Highnes in her princelie wisdome thoughte the time was fitt to be informed throughlie of those disorders and abuses and to take some course to see the same reformed,* the rather for that no small danger might haue happened by such practise of desperate and euill affected persons in times of trouble and confucion.

2] Therefore in the ende of August her Majestie appoynted Sir Thomas Heneage knight, vicechamberlayne to her Majestie, Sir Francis Walsingham knight, principall Secretarie to her Majestie and Sir Amys Paulet knight Chancelor of the Garter to deale in those causes, and one of the Clerkes of the Counsell† to attende uppon those honorable personages to sett downe the examinacions concerninge those matters and to followe their grave directions.

Mr Secretarie beinge retired for a fewe daies for some infirmitie he was troubled withall, and the better recouerie of his healthe havinge taken exceedinge paines all the summer before in publike affaires, Mr. Vicechamberleyn and Sir Amys Poulet did first meete‡ about these causes to unripp the disorders of the Tower, and verie wiselie and painefullie proceaded to thexaminacions of divers prisoners, waightors, and servaunts of the Lieutenaunte and others, [*one word blank*] the Tower, at diuers meetinges and conferences, even untill the sicknes of the said Sir Amys, wherof beinge of so weake a constitucion of bodie as of singular wisdome, virtue and sinceritie, he within a fewe dayes deceased,§ Mr Secretarie havinge recouered some better though not perfecte state of his healthe, ioyned with M^r^ vicechamberleyne in the prosecution of those causes and disorders, which every

* The true reason is given by Bennet (*Below*, p. 201). A prisoner, John Snowden, by feigning himself a Catholic, had wormed out the secrets of the little Catholic body, especially their arrangements for Mass, and finally sent Walsingham their missal, a trophy the full meaning of which was but too evident. *See end of* § 3.

† This was clearly Waad himself.

‡ Snowden was freed from the Tower on 7 September (*C.R.S.*, iii, 28). So the inquiry had then begun.

§ Sir Amias Paulet died 26 September, 1588. *D.N.B.*

daie fell out to be greater and greater, one matter falling out of another. As to be shorte it appeared that the Tower of London was a place not of restraint but of practise of disorder and conspiracie, where prisoners had accesse one to another, masse was openlie said, intelligence common to prisoners amongest them selues within the walles of the Tower, and with others abroade and that not onlie within the realme but extended to forreyne countryes,* which consideracions made these great personages to looke more narrowlie into these abuses. God by this meanes, continuinge his wonderfull and often shewed goodnes in revealinge to her majestie practises and conspiracies & treasons, did laye open the most unduetiful behauior, treasons & conspiracies of the Erle of Arundell, a man least suspected of † and further from anie meaninge to be thought of in this course, though it was not unknowen he bare a greate swaye in these disorders, but spared to be dealt withall, or to be called in question in the generall examinacions.

3] Amongest other prisoners there was one Snowden ‡ a saylor committed to the Tower uppon some suspicions of practise with the Duke of Parma, as to be hird to doe noe lesse matter then to sett on fire her Majesties Nauye Royall. This accusation brought greate credit amongest these badd men to this suspected fellowe, so as they thought him not onlie fitt to be cherished, but to be admitted to their Councells, to their conferences, masses and other secretes, whiche he, to shewe how farr of he was from the undertaking of those matters he was charged withall, did very duetifullie reveale to one of these honorable personages these disorders, not unknowen alltogether (I dare saye) before by other meanes to his honor nor to her excellent Majestie.

4] In followinge the examinacions of these matters namelie of the sayinge of masse, it appeared that masse vestments, and such trumperie had ben conveyed to and fro, from the prisoners in a Lodginge in the Tower called Coleharbert, § to other places from one to another, and so to a third person. So as suspicion grewe it was not for to serue

* This refers to the fable that the Earl had written to Rome to ask for the excommunication of the Queen, and had heard of the supposed Bull before anyone else.

† "Least suspected . . . though not unknown," Waad constantly affects oracular ambiguity. In truth the Earl had long been a primary object of Walsingham's suspicions (*above*, p. 129). When Waad speaks of his being "spared to be dealt withal," we see the Tudor official's idea—no right or privilege, except by Royal whim.

‡ John Snowden, mariner. Though he had treacherously discovered the only secrets, which the catholics had, viz. those about masses and prayers, he confessed everything vaguely and with, we know not what, defects (*see* pp. 194, 198 n, 201). But it was the Tudor method to extract incriminating confessions from the suspects themselves. We can see, in Bennet's case, how he was drawn on to confess by quotations from the confessions of others, presumably from those of Snowden.

§ Coleharbour (Coldhabour, Coleharbert). A mediæval lodging situated at the south-west corner of the White Tower. Being then in very bad repair (it has long since been destroyed), it was much used for the priests, and so Masses were constantly said there.

The place-name Coleharbour is one of very wide circulation. It may be found in, perhaps, every county in England, and is even frequent in certain districts, but its meaning remains obscure.

for massing† garments, but to some other use; and to the prisoners better knowen by secret reporte, then directly to be avouched that it was for the use of the Erle of Arundell, whose Chaplen Bennet the priest was termed. But how he should haue accesse to the Erle, or the Erle to him not imagined: neither did these honorable personages seeme to care to enforme them selues so preciselie if the Erle had masse or not; though the committinge of that idolatrous abhominacion was not to be permitted, especiallie in her Majesties chiefe house and place of assurance.

In this meane season a prisoner did of him self confesse that once by chance comminge with one of the Lieutenants servaunts a backe way he stumbled through a hole in a wall stopped upp with Rushes at a lytle wainskot dore made fast in Bennetts chamber: wherat the priest came sodainelie to the dore as one, to his thinckinge, acquaynted with that accesse. Heruppon a hole was founde out that brought greater light then was imagined from so dark a place. Others concurre in this backe waye to the backe dore which leadeth to a staier neare to a gallerie in the Queenes Lodginge, where the Erle did walke and spend his time all the daie.

5] At the same time one Hammond servaunt to the Erle, being accused for a releeuer of priestes and traytors and an Instrument of badd purposes and other suspitious matter was committed to the Bayliffes house of St. Katherines. To this Hammond an olde aged woman beinge a Laundresse in the Tower, & conveyer of letters, was sent from the Erle with letters, moneye, and to demaunde a keye of a Studye. The moneye was deliuered as a debt from Greenefeld a servaunt of the Lieutenaunts, and one that was appointed to attende on the Erle. The keye was founde in the pocket of this old Caryer, but the letter was conueyhed amongest cleane Lynnen, so as it was not espied. Though silence was commaunded streightlie to this woman, she presentlie disclosethe the same to Greenefield, who in the morning after at the first openinge of the gates of the Tower, fled his wayes, the Lieutenaunte having order from the Councill to apprehend him ouer night. The Erle denied not that he had geven him leaue to goe into the Countrey without the priuitie of the Lieutenaunt. Hammond was examined of this key, wheruppon at his retorne, one beinge sent with him to searche his coffers, he feyned some occacion to withdrawe him self and rent certaine letters which he threwe into a vaulte. His keeper a discreete person presentlie after caused the vault to be searched, and found letters from the Erle to Hammond which was as full of badd councell as greate suspicion. This gaue further cause and occacion to these counsellors to proceede to the examinacions more strictlie by reason of the escape of Greenefeld and the discouered letter, the copie whereof ensuethe.

[*Several lines blank for the Earl's letter to Hammond, now missing.*]

6] Bennett was againe dealt with all, but would be acknowen of nothing. Amongest other things there was a letter of his found in the Chamber of Ithell, a priest lykewise in the Tower, wherby Bennet did derive his authoritie from the Sea of Rome. This letter, amongest

† In MS., masking.

manie other papers, could not be found. Bennet then having ben verbally examyned was agayne uppon Interrogatries dealt withall, and his aunswer sett downe in wryting. That don, it appeared, his aunswers did concurre so formally with Hammonds aunswers, and both with the Erles direccion conteined in the letter intercepted, as he, beinge charged to haue conned well his lesson and said as he was taught, began to waver. Then happelie the letter of Bennet to Ithel was found, he acknowledged the same to be of his owne hande and the contents here inserted.

[*Blank for the letter of Bennet to Ithell,* now lost.*]

7] Theruppon beinge pressed, having in this letter confessed matters of treason not to haulte in lesse matters (for nothinge was suspected then but saying of masse),† and followed uppon the conformitie of his aunswers, as by his examinacions he did‡ appeare to haue reteyned the direction therin from the Erle, he was urged uppon his priesthoode to denie it ; If he would not so doe, he was urged uppon that asseueration to confirme the truthe of his aunswers, for§ by his othe he denyed bothe.

Therby the truthe appearinge, the man ouertaken apparantlye, required Sir Thomas Gerrarde and Hamon might be dealt withall who knewe more then he, fell to teares and to intreate, alledginge the Erle was a greate personage, he a meane man, shewinge he had ben greatlie intimidated, and that feare onlie withheld him to declare the truthe. Being thus farr on, he in the ende resolued with him self and said, if he might be putt in hope, not to be subiect to the displeasure of the Erle (whome he descrybed to be a most dangerous & vindicative man) he would discharge his conscience.

Therin beinge incouraged and perswaded to regarde no other duetie but the highest to god and her Majestie, he did not onlie confesse the sayinge of Masse, but the place, the meanes, and other circumstances, and so from degree to degree did sett downe this confession followinge, all of his owne hande and at one time.

ff. 85–88 [*The confession of Bennet,* 16 *October,* 1588, *copied below from a better copy.*]

8] This confession bringinge to light such weightie dangerous & bad matter : It was thought fitt Sir Thomas Gerrard should be dealt withall in these pointes confessed by the Erles chaplen. He at his first examinacion stude very farr of. But seinge their secrets discouered, so as it avayled him nothing to denye the same, yielded to

* This letter was to defend his jurisdiction. To Ithell he declared that he had received it from the Pope, and his tormentors now used this to charge him with "treason." He had before passed as an "old priest," *i.e.*, with authority from the old bishops. Government was not so severe with such men, knowing that they must soon die out.

† This was not true. Bennet was pressed from the first about the messages sent by the Earl to the priests in Coleharbour, "to pray for the success of the Spanish Fleet." See Bennet and Randolph *below,* pp. 198*n*‡, 201, and *above* 178*n*‡.

‡ That is, being present while Mass was said on Sundays "He did," in MS. doth.

§ "For," in MS. or ?

confesse the sayinge of masse.* After calling him self to better remembrance of his duetie, his often fallinge, recouerie, relapse, her Majesties most gratious fauor towards him and the greate danger he was in, did declare how he had some scruple by reason of a promise the Erle had urged him to make, did not onlie concurre with the priest in all pointes of his confession, but discouered further matter in his knowledge, namelie the motion made by the Erle for the continuance of praiers to be said all the xxiiii howers of the daie and nighte for the good successe of the Spanishe fleete. This is his confession of his owne hand.

[*Ten lines left blank for the confession of Sir Thomas Gerard, 26 February, copied below.*]

In this confession Shelley beinge vouched, it was thought meete he should be dealt withall before M^r^ vicechamberleine, Mr Secretarie, the Queenes Attorneye, who after a litle deniall that he euer had conference with the Erle, which beinge presently reproued to be dailie and ordinarie, and some touche of the particularities, arguing the discouerie of the matter, he presentlie voluntarily and readilie sett downe the confession followinge:

[*Blank left for Shelley's confession, now lost.*]

And because Touchnor was mentioned to haue wrytten out the note, his confession was taken also as followethe.

[*Blank left for Anthony Tuchinor's confession, now lost.*]

9] [February, 18, etc.] These matters beinge thus boulted forthe, or rather unexpectedly discouered even by gods prouidence, Sir Thomas Gerrarde and Bennet uppon occacion of conference did, both of them a parte, declare the euill affection of the Erle in the greate expectacion & hope he had of the comminge of the Spanishe fleete, the extreme & wonderfull ioye he had at the discouerie of the fleete so as he could not utter the same without greate passion & intemperate gladnes. After when they receyued blowes, discomfitures, and ouerthrowes, he was stroken with the greatest sorrowe that could be, utteringe his griefe with passionate wordes, as more at large maye appeare by the confession of Sir Thomas and Bennet.† They bothe affirme that Hamond was a man priuie to all the Erles doinges, & was so instructed and wrought as he defyed the masse, and said he was a good protestant, skorning to be asked if euer he had ben at masse. So farr of he was from confessinge anie greater matter, and to this he offred his othes and all solemyne protestations, utterlie denied the letters from the Erle in suche sorte as a man that had renounced all duetie to god and man to serue his M[aste]rs torne.

* This is deliberately false. Gerard would not for four months acknowledge that he knew of Mass of the Holy Ghost to be said for the benefit of the Spanish Fleet.

† None of the extant "Joint Confessions" printed below exactly supports this, but phrases from it appear in Gerard's confession of 26 February, § 10, which is, therefore, probably derived from the *Joint Confession* here quoted, but now lost. As to what follows, it is perhaps want of literary skill which has led Waad to confuse his own comments with the confessions of Gerard and Bennet.

The Erle in his owne conceipt havinge thus on everye side prouided that his counsells should be kept, first by charming Hamond, by sendinge awaye Grenefield, as euen to this daie he hathe utterlie denyed to tell [*blank, for which supply 'where he is'*], by urginge Sir Thomas Gerrarde to geue him his promise & his hand not to reueale anie thinge, by intimidatinge Bennet, sayinge he would tell him, if he confessed anie thinge, that he lyed to his face. Trustinge on these defences that he could not be conuinced but by two witnesses, and also, as it appeared at his arreignment, that he should be indyted of the Statute of the xiiith of this Queene, and that the time lymited in the Statute to enquire of the offences was past: thought him self so hedged in with these fences that his treasons should neuer be so proued against him, as he denyinge the same might be conuinced.*

10] Neuertheles callinge to minde that Bennet could not be brought to geue his hande to the Erle and promise to keepe his counsell, doubtinge that he might be broughte to confesse these thinges, and under standinge indeed that he had performed the same, as he was very particularlie aduertysed of all thinges that passed: To weaken these confessions of Bennet, knowinge the man to be timorous, a meanes was used† by one Randoll prisoner in the Compter where Bennet laye, and of his olde acquaintance, to worke Bennet to retracte his former confessions. Randall heruppon enterteined Bennet with discourse of those matters: and when the time was thought conuenient, then a letter was deliuered unto Bennet, all of Randalls owne hande, but as he after confessed, copied out from a priest (for so it was indeede, or at the least so was the plotte laid) to the effecte following:

[*Eight lines blank for the anonymous letter to Bennet, which is printed below from f.* 82.]

11] This letter brought Bennet into some motion to be charged with sheddinge of innocent blood, with irregularitie, beinge a priest, to heare the clamor of the Catholykes against him for revealinge his ghostlie childe, and betrayinge so noble a confessor and greate Prince. Randall seing him stagger, bett the iron while it was whot, and in conference with Bennet findinge indeede that his confession was true, very cunningly cast about another waye. For when Bennet tolde him what he had confessed, and that it was true indeede,‡ [. . .], the sighte of that letter, seinge him selfe laid open, drewe him on to confesse, as he did. [Then] this suppose[d friend] told him, though

* This paragraph is the gratuitous flourish of a bully, to cloak the violence and lawlessness of the prosecution. The Tudor scorn of law is shown in the sarcasm that the Earl "trusted he could not be convinced but by two witnesses," yet against violence such as this, what remedy except a conspiracy of silence? For the question whether he was not indicted under 14 Elizabeth, *see* p. 237.

† The suspicions here thrown out, that the Earl engineered the incident which follows is purely gratuitous. Certainly many of his friends had far better opportunities than he for making the attempt. As to its morality, *see* Randolf's statement, § 6. It is an anachronism on Waad's part to place Bennet's apology of mid-December, 1588, after the joint confessions of February, 1589.

‡ The text is evidently corrupt at this point. A line or two have been lost, and the defective punctuation has had to be supplemented. For the story, *see below*, p. 20. "That letter" was Bennet's to Ithell, and it was "upon the sight of it" that Waad "drew Bennet on to confess as he did."

falselie, that he was abused therein. For his letter did not so deeplie touche him, but that his confession had brought him within the compasse of treason.* So [he] brought the poore man to that perplexitie that he began to stagger.

Wheruppon the said Randall followed him so diligentlie that at the length he was contented to be ruled by him, meaninge yet (as he after confessed) to satisfie his importunitie, and to winde him selfe out of these brakes.† The conclucion was that Bennet though he had accused the Erle trulie, yet he beinge his ghostlie father, should not haue reuealed the same. For which consideracion his accusacion was in that respect uniust, because he beinge a priest should not disclose the imperfection of his ghostlie childe.‡ And therfore there was no other waye for him to take, bothe for the helpe of him self and the safegarde of the Erle, but to wryte to the Erle and to retracte his former confessions as uniust, and that he did the same through feare, &c. The silly priest in whome the perswacions of Randall had made some deepe impression, findinge some conflict in him self, and especiallie that he had brought his owne life in danger, beinge unwillinge to doe that he had undertaken, was so followed with the continuall solicitinge of Randall, as he could not avoyde to frame a slight letter to the Erle of Arundell, Which not lykinge the said Randall, he shewed Bennet a letter which he him self had conceyued and sett downe to that effecte, which he procured Bennet to wryte forthe and to deliuer unto him self.§

12] Bennet after he had ben thus ouertaken and subtilly driven to committ this indiscreete parte, bethought him self againe that he had don that which might breede inconueniencie and contrarie to the truthe, and his duetie. And moued with remorse cam himself, to reueale his follie with greate pensiuenes and sorrowe.‖

Theruppon Randall was presently dealt withall: who by his first examinacions would not be acknowen, but that this matter cam from Bennet, and that indeede he receyued a letter by a mayde from an unknowen person to deliver to Bennet, which he did, and so lykewise tooke Bennetts aunswer, and gave it to the said mayde, whereuppon he was committed to Bridewell,¶ and confronted before Bennet, and there with othes and protestacions denyed that he had wrought in the cause otherwyse than he had confessed. Yet being againe in the Compter, as he had desired, to discouer the mayde that broughte him the letter, whom he supposed would repayre to him [*sic*], he was toe

* The meaning is that the "suppose[d friend]" Randolf told him the danger from the letter to Ithell was not really so very great, "But that his confession" —viz., that he had said mass for the Spanish Fleet, "had brought him within the compass of the fatal law of treason."

† The dishonest side of Bennet's weak character is not denied.

‡ The injustice lay primarily in betraying to persecutors that which they were sure to abuse with unwarrantable cruelty.

§ No space is left for Bennet's letter to the Earl, printed *below*, p. 197.

‖ No space is left for Bennet's note to Waad, made on the same day as his letter to the Earl. A fuller confession followed next day. *Below*, p. 198.

¶ Bridewell was one of the worst prisons, where torture was used.

retorne to Brydewell. Then of himself cam to utter so much of his practyse as followeth in this his confession.

[*About eight lines blank for Randolf's confession printed below.*]

13] The whole practise being thus laid open and the meanes sought to cover the same made more manifest and evident: Her Maiestie resolved to have the Erle charged with these matters to see what he would thereunto aunswer.* To which ende the L. Chancelor the L. Threasurer and m^r^ Vicechamberleyne were sent to the Tower to take his examination and her Maiesties Attorney Generall, Solicitor, and a clerke of the Counsell† to attend upon them. The Erle at his firste examination carryed himself verye obstinatlie; refusing, though he confessed he had sent Greenefield to a place he had appointed where he should be receyued, to tell where it was; and when he was charged with anie thinge, said it was a lye and a flat lye.

14] As her Maiestie had iust occasion to be evill satisfied with his proceedinge, and therefore sent againe the same honorable personages and the L. Chamberlaine with the others to attend upon their Lordships, who delivering his [*sic*] maiesties discontentment in noting his undutifull course in his former confession and advising him to better remembrance of his duetie, they found him so farre of from taking a better waye, as he used very unreverent speaches to the Lord Chamberleyn by occacion of matter charging him with bad dealinge. And beinge putt in minde of the wordes he used at the Starre Chamber at the condemnation of one Vallenger, when he protested there openlie that a papist indeede, must neades be a traitor, he seemed to denie he euer had used those wordes.

15] Theruppon the Lord Threasurer takinge occacion to tell him, that he doubted not but uppon the matter his Lordship would saie as much, for Vallenger protested to take parte with the pope against her Majestie: the Erle said he could not meddle with anie thinge that concerned the pope.

No my Lord? said his Lordship. If one should saye he would take parte with the pope against the Queene if he should attempt to inuade the realme or depose her Majestie by forreine power, will you not saie he is a traitor? ‡ Doe you charge me, said the Erle, to haue said so? To be shorte he desired them to aske him no questions that concerned the pope, for he would not aunswer.

* The date of the Earl's examinations is not known, and Waad, in his obvious anxiety to show that evidence against the Earl mounted up providentially and by degrees, has confused the sequence of the foregoing sections. § 8, the confession of Gerard, was 25 October; § 9, the "Joint Confessions" of Gerard and Bennet, were the next February; §§ 10–12, the Randolf incident, was at mid-December. One would have expected the Earl's examination after Gerard's confession, but it seems to be ascribed to the end of December (*See* p. 192.)

† The Vice-Chamberlain was Sir Thomas Heneage; the "Clerk of the Council" was probably Waad himself; the "Lord Chamberlain," added later, was presumably Lord Hunsdon, the Lord Chamberlain of the Household; the Lord Chamberlain of England was Lord Oxford.

‡ This is "the Bloody Question," irrelevant to the subject under discussion, and sure to raise blood-lust, if answered in a Catholic spirit. *See* Lingard, *History*, vi, 522; Tierney, *Arundel*, ii, 388.

16] Mr. Vicechamberlaine takinge occacion to reprehend his maner of dealinge beinge indeede very indiscreete he carryed him self in such irreuerent sorte and disdainfullie towards him as he gaue occacion to his honor to tell the Erle, that he was there at that present as one her Majestie had vouchsafed to be of her priuie counsell and by her appointed to take his examinacion, and the Erle was brought before them as a criminall person and one that stode charged with greate matters. Therfore it was his parte to performe his duetie to her Majestie in charginge him accordinglie, and it would stand aswell with his Lordships duetie, in respecte of the authoritie they had, to carry him self in a more duetifull course.

[*Waad's Discourse here ends abruptly.*]

XLVII.

THE CONFESSION OF WILLIAM BENNET.

The Counter, 16 October, 1588.

MS. Yelverton, xxxiii, f. 102, collated with another copy, ff. 87, 88. For the circumstances under which the confession was taken we have Waad's account, *Discourse*, §§ 6, 7; Bennet's own story (*Below*) to the Earl, p. 197; and Randolf's, p. 200. The really important clause is 2], and the omission of the 24 hours' prayer. Just before this confession Bennet had been taken from the Tower and sent to the Counter in Wood Street (*C.R.S.*, ii., 284).

The confession of William Bennett priest written with his owne hand [16 October, 1588].

1] I, William Bennett, priest doe confesse as followethe that I have often times said Masse in the Tower in a closet near unto the gallerie in the Queenes lodging by the procurement of the Erle of Arundell and that I did begin to saye Masse there about about newe yeares daye last, and have continued so the saying of Masse three quarters of a yere commonlie on Sundayes and holydayes and once or twice a weeke if I were not sicke unles it were uppon the discoverie of the Spanishe fleete. Then his lordships pleasure was that I shoulde say Masse oftener then at anie other time before. For the said Erle of Arundell said, Let us praie now, for we have more neade to praie now then at anie time before and if it please god the Catholyk faithe shall flourish, now is the time at hande of our deliverye. [f. 87b adds: "Moreover the said Earle would saye that he would make me deane, if the Catholyke enterprise tooke place."]

2] Moreover I doe call to minde that when the said Erle understode of the discoverie of the Spanishe fleete he desired me in the presence of Sir Thomas Gerrarde, to saye Masse of the Holie Ghost, that it would please god to sende them good successe. Wheruppon I tolde his Lordship that there was a proper masse for that purpose which was called *ad tollendum schisma* [f. 87b adds: "which he seemed not to mislike] and so I said the said Masse to his Lordship and he did helpe me to saye the same. At which Masse Sir Thomas Gerrarde knight, and Hamon servant unto the Erle were present. After that I said two Masses more, *ad tollendum schisma* to the which the Erle came not,*

* F. 87 omits.

but Sir Thomas Gerrarde, Mr Abington (as I call to remembrance) and also Hamon.

3] I further doe confesse that about three weeks past [*i.e.* about 20 September] Sir Thomas Gerrarde came twice or thrice to a wainscot dore that then was nayled upp in my chamber and tolde me in the name of the Erle of Arundell that the sayler John Snoden had discovered the saying of Masse in Coleherbert and other disorders in the Tower, so much as he did knowe, and told me further that Hammond was examyned and was the perfectest man in the worlde & remained verie constant. Therfore he charged me very earnestlie, and threatned me extremelie in the Erles name, to confesse nothing, in such sorte as the terryfying of me had lyke to have cost me my life, waying what a greate personage the Erle was from whome it proceaded, and that I was drawen by him to doe that I had don. Requiring me further as I was a priest that I should not reveale the saying of Masse but in Coleherbert, and that they would be all constant. That the Erle him self would denye it to my face, and what a shame it would be to me to betraye my parishners, and the exhibicion he gave me should be cutt off, and that I and my friends should fare the worse. And lykewise I was commanded that I should not be acknown of anie exhibition that the Erle did geve unto me or anie other prisoner: & therfore I was wylled to denye all. For unles I did confesse my selfe I could not be condemned without two or three witnesses, and if anie thinge could be proved, I was content to abide the punishment of the lawe.

4] I doe further confesse that when I said masse in the foresaid closet, the Erle of Arundell, Sir Thomas Gerrarde and his ladie who once receyued there, Mr. Thomas Abington, Hammon, the Erles servant, Mr Anthonie Tichmor, Ringwood, servant to Mr Abington were commonlye at the hearinge of the masses, and the Erle him self commonlye did helpe me to saye masse and serve as clerke. And further I doe remember that Mr Abington was not there past three times in the companie of the Erle at masse, for that the Erle seemed to mislyke at his beinge there. Mr Anthony Tichmor was there at the hearinge of masse in presence with the Erle, and (to my remembrance) Anthonie Tichmor was at masse when Mr Abington was there.

5] Moreover I doe confesse that I have confessed Sir Thomas Gerrarde and my ladie his wife, Mr Abington, Mr Anthonie Tichmer and Hammon, and have ministred the Sacrement unto them.

Further I doe confesse that the Erle did sometymes geve me xx^s^ sometimes xl^s^. Sir Thomas Gerrarde commonlie or Hammon did open the wainscot dore that aunswered to the broken wall where I cam forthe. For the churche stuffe, it did belonge to Mr James Tippinge, and Mr Abington caused it to be conveyed to and fro, as we and the other prieste had neade of it. Mr Abington did also procure the keye for the Erle to come into the closet, where the masse was said, of Mistress Cicelye, the lieutenaunt's daughter.

This my confession sett downe with myne owne hand, I William Bennet, priest, doe confesse and protest to be true in all thinges in the said confession and to conteyne nothing but the truthe, as god knowethe & that I have sett downe voluntarilie for the discharge of my duetie, allegiance and conscience.

By me William Bennet priest.*

Ex^m^ per me.

William Waad.

XLVIII.

CONFESSION OF SIR THOMAS GERARD.

[Counter in Wood Street] 25 October, 1588.

MS. Yelverton, xxxiii, f. 81b. The circumstances are described by Waad, § 8. It is important to compare this with the final examination of 26 February, 1589. Here, though pressed, as Waad tells us, upon Bennet's points, he will not confess Bennet's main charge. There he confesses it, using some of Bennet's own words. The most important clause is § 10, about the twenty-four hours' prayer.

THE CONFESSION OF SIR THOMAS GERRARD KNIGHT sett downe with his owne hande [25 October, 1588].

1] Observing your honorable commaundemente, my resolute determinacion and according to the uttermost of my counsell and memorie, without respecte of person other then my loyaltie to her Majestie and the iustnes of the cause I have to proceade in, I have thought good accordinge to my bounden duetie to sett downe unto your honors these trothes ensuinge. First I doe remember that when the Spanishe fleete was first discovered, the Erle of Arundell cam to the gallerie dore and asked me where father Bennet was, and I tolde him he was belowe, who then wished me to call him upp, for he had good newes to tell us. After whose comminge and the dore opened, the Erle told us that the Spanishe fleete was seen in the narrowe seas, lyke unto a huge forrest, and our fleete was not able to deale with them. And therwithall said, the Queene and the counsell were greatlie afrayd of their approche, and then sorrowfullie said, god save my brother Thomas.† And eftsoones, he cheerefullie said, "Be merrye, for I trust now is the time to be merrye, wherin we shalbe deliuered." And then clappinge Bennet on the shoulder he said, "Be merrye, for I hope you shall saye masse openlie, or it be longe (by gods grace)." or to such effecte he then uttred his speaches.

2] Also I doe remember that the Erle would tell us when her Majesties Ambassadors were in the lowe countryes to treate of peace, that sometimes the newes was that the peace was concluded without mentioninge of religion, wherat he would seeme pensive, and at some other time, he would saie cheerefullie, "The Ambassadors cannot agree of peace," or to that effecte. These things and such lyke he used to signifie to the priest and me together gevinge us greate charge of silence.

* F. 88 omits the signature.

† Lord Thomas, future Earl of Suffolk. He went to sea as a volunteer, and was afterwards promoted. This passage is omitted in the final recension.

3] First,* I acknowledge that ever since Christmas last, the Erle, Hammond and my self did heare Bennet the priest saie masse commonlie everye Sondaie and holy daie, and often once or twice a weeke beside in the chamber of the Lantern Tower adioyning to the gallerie, and uppon the Southwest side.†

4] And some fewe times there was at masse Thomas Abington, Anthonie Touchnor and Ringwood, the said Abingtons man. For the accomplishment whereof the said Abington did not onelie procure the remoue of the said priest out of the Coleherberte into the lowest roome of the Lantern Tower where he might come upp at his pleasure through an hole of a iniured wall, which had ben an olde dore in times past, but also, by Mistress Cicely Hopton meanes, the said M^r^. Abington borrowed the keye of the said gallerie, wherby he got another made, to thintent he might have recourse through the same dore to heare masse, the which was performed, when he gat the masse stuffe from Tippinge, and when the same was had awaye he procured newe. Also when the said Abington was remoued unto the bloody tower the Erle had the gallerie all the daie to use.

5] Also after that the disorders of the Tower were discouered by Snowden and examined by your honors, I bad the said Bennet in the Erles name not to confesse anie thinge but the sayinge of masse in the Coleherbert and also tolde him it was against his callinge and a shame for him beinge a priest to stande against those that were of his cure, and that he the said Erle would be good to him if he remayned constant, and if he did confesses anie thinge he would denie it to his face. The which I tolde him twise or thrise. Such words the Erle used to me in the lyke case at another time. And when the said Bennet cam upp, I eyther cought for him, or otherwise when the dore was made fast on our side I went downe the staires and opened the same, so as he might come upp to saye masse, and sometimes Hamond let him come upp, who did helpe me who did helpe me [*sic*] to prepare for water and other [masse *cancelled*] necessaries. Also after that the said Hamond was sent for, the Erle tolde me and bad me tell the priest that he had ben examyned and remained constant. Also the Erle bad me that I should tell Bennet that he should not be acknowen‡ of anie reliefe he had geven unto him or anie other of the prisoners, which I did twise or thrice.

* The word "First," occurring well on in this paper, may be a piece of internal evidence confirming Waad's statement that Gerard was constrained to confess by being confronted with Bennet's confession. This section is what comes "first" in Bennet's paper.

† These words enable us to ascertain the locality of the Earl's confinement at this time of diminished rigour. He was presumably in the Queen's "Gallery," where the Earl of Northumberland had been confined in 1585. This "gallery" is now destroyed, but its direction is preserved in the modern curtain-wall which connects the Salt Tower with the Lanthorn. The upper floor of the Lanthorn (into which the sentinels' walk along the curtain-wall now opens, and where Sir Thomas Gerard was then confined) was the place where Masses were said, and apparently in a smaller compartment to the south-west, the opposite side to the gallery door. Bennet lived in the basement below.

‡ Acknowen. This unusual word had been previously used by Bennet, § 3, of the confession which Gerrard is following.

6] Also it is true that Grenefeld did watche in the gallerie without while we had masse within. The which Grenefeld would neads goe awaye when he hearde he was sent for, as the Erle told me.

7] Also the said Erle did allwayes, when he was present, helpe the priest to saie masse. For my selfe cannot doe it in this newe maner.* Once or twise Abington did helpe him in the Erles absence.

8] I doe also call to minde, that the Erle wished the priest when the Spanishe fleete was discouered to praie more earnestlie and saye more masses then he had don before. "For," said he, "now is greater occacion then before," and bad him be merrye, for we should heare good newes or it were longe. "And I hope," said the Erle, "to see thee advance ere it be longe, and to saie masse openlie, and to see the Catholyke faithe flourishe againe."

9] And also I doe call to minde that the Erle another time said, "Lett us, lett us be merrye, for we should have lusty playe ere it be longe, and those that plaged us Catholykes must look for the lyke, when we have the Catholyke faithe againe in England."

10] I doe also remember uppon the discouerie of the Spanishe fleete the Erle cam to the gallerie dore, and openinge the same deliuered me a note of his owne hande wherin was conteyned request made by him to this effecte that there might be within the Tower praier made for the advancement of the Catholyke enterprise all the xxiiii howers of the daye to be undertaken and obserued by those whose names be subscribed. First the fyve priests, Harrison, Ithell, Bennet, Leghe and Gerrarde should praie euerye one of them two howers: and the other xiiii howers to be equallie allotted uppon him self and the other xiii persons also here named: That is to saye, Mr Neuill, Mr Shelley, Mr Abington, Touchnor, Barton, Digby [Dixon], Staughten, Stowker, Arden, Payne, Tippinge, Dauys and myself.† On the other daie he

* "In this new manner," a clear allusion to the then recent introduction of Roman customs into the Sarum rite. So far as the Mass was concerned, however, the changes were not very great.

† As the five priests were to pray double tides, we may infer that there were no other Catholics to take their places; in other words, that these eighteen persons were all the Catholics then in the Tower. Of the five priests, Richard Leigh was soon after martyred (*Lives of the M.M.*, II, i, 408). James Harrison got off on this occasion, but was re-arrested and suffered at York in 1602. Ralph Ithell and Alexander Gerard were passed on to Wisbech. Of the gentlemen, the first three, here ceremoniously designated Mr., were heads of not unimportant houses. Edmund Neville claimed to be Lord Latimer, and he had found his way into the Tower by finessing with the impostor William Parry (*D.N.B.*, and Cockayne, *Complete Peerage*, v, 26). William Shelley, of Michelgrove, has been frequently mentioned before. Thomas Abington, later Habington, of Hinlip, Worcester, the antiquary, has a notice in *D.N.B.* He continued through the Gunpowder Plot period to suffer much for his religion.

Of the lesser folk, Anthony Tuchinor was brought up from Winchester after Babington's plot and imprisoned on suspicion. His name is twice cut on the walls of the Beauchamp Tower, once immediately below the Earl's great inscription. He seems to have been freed on bonds in the summer of 1589. For Godfrey Barton, "charged with nothing but recusancy," *see* p. 196. Edward Dixon was an Oxford scholar, arrested on his way beyond seas (*Ibid.*). John Stoughton has left his name incised in the Broad Arrow Tower, with the prayer *Parce Domine* (Bailey, *The Tower*, i, 209). George Stoker has left a touching *Relation* of the sufferings of himself and others (Pollen, *Acts of English Martyrs*, p. 310). John Arden eventually escaped from the Tower in company with Father John

told me that he would have it to goe no further, for that Mr Shelleys opinion was that the meaninge might be mistaken, and therby brought to a more daungerous construction, or to that effecte.

11] I doe also call to minde the Erle both before Julie and after would burn papers even at the sacring time neare the priest who mislyked the which, but what the same papers conteyned or from whome they cam I knowe not.

12] I doe also call to minde that at one time without the priuitie of the priest— because he should not be putt in feare, and therby not willinge or unhable to saye his service, he told me that the Lord Steward* was about a massacre to be executed uppon us in our lodginges, for the preventinge wherof he asked me whether there was anie place in the Queenes lodginge where we might hyde us for two howers. "For [said he] in that time it wilbe knowen, at the courte, and I knowe the Queene, the Lord Chancelor, the Lord Treasurer, and the rest of the Counsell will not suffer such a bloodie murther to be committed." And shortlie after we concluded together to mount to the topp of the Lantern Tower within the said lodginge, and there with bulletts and stones to sell our Liues dearlie in our defence. For the which purpose Hamond and I prouided some fewe of bulletts and stones.

13] I doe also call to minde that the Erle wished him self and me in Flanders, the which I gainsaid not, but since that time I neuer hearde more of it.

Also the Erle told me since the priest was barred from us, that he doubted that he should be charged or suspected to make an escape by breakinge out of the Tower. Wherunto I aunswered he neaded not to care for that, all the while he was not iustlie to be charged therwith.

I remember also that after the Spanishe fleete was past the coast of Suffolke, the Erle tolde me that the Duke of Parma was to come him self to London at or neare Bartholomew tyde [24 August].†

[*Signature, &c., wanting.*]

XLIX.

THE EARL'S EXAMINATIONS IN THE TOWER.

End of October, 1588, and February, 1589.

From *The Lives of Philip Howard, Earl of Arundel, and of Anne Dacres, his Wife.* Edited by Henry G. FitzAlan Howard, Duke of Norfolk, 1857, pp. 79–88.

It is much, indeed, to be regretted that we have not an equal or a greater number of documents favourable to the Earl to compare with the State

Gerard, S.J., in 1597 (Morris, *Life of Gerard*, p. 277; and Mrs. Stopes, *Shakespeare's Warwickshire Contemporaries*). Jerome Payne, arrested at Babington's time and ordered to be racked, 23 December, 1586 (*Privy Council Register*). James Typping, has left a characteristic inscription in the Beauchamp Tower: "Typping stand and bere thy eross—For thow art catholyke, bvt no worce—And for that cavse this by-eer space—Thow hast conteanwed in great disgrac.‖ [Yet] what happ will hit I cannot tell—bvt be death, Or be wel,—content swet good"; the termination is broken and corrupt. William Davies, a retainer of Mr. William Shelley, has been mentioned before.

* The Lord Steward was the Earl of Leicester.

† F. 93a ends here without any signature; and 93b begins letter No. liii below without any headlines or salutation.

Papers and Yelverton documents, which are all hostile. The only not hostile source which we have is *The Life*, and the chapter which gives the Earl's examinations in the Tower is here reproduced. Waad's account of this is unfinished. The writer of *The Life* was not only informed, he tells us, by the Countess herself; he also had various documents, which he cites. and some of these are here printed from other sources. We can now see that he cites very accurately, and this enables us to trust him even when his documents are not known to us. It wuld seem that the first examination was after 52 October (see the notes).

Chapter XII.—The Means and Manner how He was Intrap'd.

Though his waryness was very great to keep himself from either doing or saying any thing that might be occasion of any danger to him, yet he was at length brought into it by means of some Catholicks then prisoners in the Tower, whose weakness was therein abused by his enemies. These were Sir Thomas Gerard a Knight of good worth in Lancashire: one Mr. Shelly a Sussex gentleman, and Mr. William Bennet an old Priest of Queen Mary's dayes, who having been conformable for a time unto Queen Elizabeth's proceedings, because afterwards he was reconciled again to the Catholick Church, he so much thereby incurred the displeasure of the State, that he was therefore committed prisoner to the Tower, where he was placed in a chamber not far from the lodgings of the Earl, who having at that time, which was about ye beginning of the year 1588 and three years after his commitment, much more liberty than ever he had either before or after, and desiring to meet and speak with him for the comfort of his own soul, found means to bring it to effect by mediation of the Lieutenant's Daughter who had thirty pound given her by the Earl's lady (as herself told me) for her endeavour in procuring it. This being first obtain'd he used such diligence afterwards that he got also Churchstuff and all things requisit for the celebration of the holy Sacrifice of the Mass whereto himself did serve with great humility, and therein receiv'd the blessed Sacrament frequently as long as that liberty did last; during which time he met also wth Sir Thomas Gerard both at Mass and at other times, as also Mr. Shelly tho' not so frequently.

Much discourse there was about that time of the great Spanish Fleet which was then in preparation, whereupon it happened that the Earl in his discourses with them did manifest sometimes much affection to the King of Spain, not only in regard to the obligation and duty he bore unto him as being his Godfather; but also because in those times and for diverse years he was the chief maintainer and defender of the Catholick Religion. And in respect there went then a rumor very currant amongst ye Catholicks about London, that a sudden Massacre of them all was intended upon the first landing of the Spaniards, and this comeing to the Earl's ear, out of his Piety he judged it necessary that all Catholicks should forthwith apply themselves to Prayer either for the avoiding of that danger, or for the better preparing themselves thereto. And to the end it might be done more orderly and efficaciously, he both persuaded the above mentioned with whom he spoke to make Prayer for four and twenty hours togather for that end, and also sent to some others to the same purpose, whereof one of

greater prudence and experience than the rest signify'd unto him that perhaps it might be otherwise interpreted by the State, than he intended, wishing him therefore to desist; as presently thereupon he did, but when it was too late. For some of his enimies having got intelligence thereof, took occasion to conceive all that Prayer to be made and meant by him for the good success of the Spanish Fleet, and afterwards induced both Mr. Shelly and Sir Thomas Gerard either through fear or fair promises to testify the same against him, as also Mr. Bennet to confess how he had entreated him to say a Mass of the Holy Ghost to the same effect.

Chapter XIII.—His Examination about that Business.

After the fear of the Spanish Fleet was well passed, towards the end of the year 88, the Earl was again commited to close custody, and twice examin'd by some of the Council who were purposely sent by the Queen for that end to ye Tower. The first time was by Sir Christopher Hatton then Ld Chancellor, Sir William Cecil Ld Treasurer, and Sir Thomas Hennage who had ever been a great enimy of his. They examin'd him first about his desiring Mr. Bennet to say Mass for the success of the Spaniards, and of making the Prayer of 24 hours to the same end: to both which he answer'd negatively.* That he should have said, how the Catholicks e'er long would plague the Protestants as well as they had been plagued by them.† To which he said he hoped their Lordships did not think him of so bad a conscience as to go with such a mind to Mass, and to receive the blessed Sacrament as he usually did then. Lastly they charged him with burning certain papers at Mass time, which they affirmed to contain matter of great importance and intelligence, and moreover that he determined to get the strongest place in the Tower for his defence against the comeing of the Spaniards.‡ To both which he answered so fully, that they were never after alledged against him, neither at his arraignment, nor in his second examination. For the papers contained nothing as he protested but his confession, and matters concerning his conscience: and to ye other, that because it was said a Massacre was intended to be made of them, he seemed to approve Sir Thomas Gerard's proposition, who told him that ye lodgings where he lay were the best for their defence, as having in them some gunstones, and other weapons wch he shewed him.

For his second examination besides those three which came before, the Lord Hunsdon was also sent by the Queen. And therein after the three first points objected in his first examination, they added that he should say, *Cardinal Allen had the disposition of the Crown;* whereto the party to whom it was spoken should answer *that it was a purple word*§. To all wch he having answered negatively, immediately Mr. Bennet and Sir Thomas Gerard were brought forth to affirm before his face, that of the Mass and 24 hours of Prayer, but he was enjoin'd not

* Gerard's *Examination*, Oct. 25, § 10. Bennet, Oct. 16, § 2.

† These words now appear in Gerard *Examination*, i, § 9.

‡ Gerard *Examination*, i, §§ 11, 12 i.

§ This was affirmed by Gerard and Bennet in the *Joint Confession*, ii, § 5, and in Gerard's *Examination*, 26 Feb. § 8.

to speak at all, nor to make any answer unto them. The which was done as he conceived and signified to a friend, only to embolden them against the time they should come to ye bar against him. After their departure he was bid to say what he would; but because he judged that offer to be made only out of policy to know his answers before hand, that so his Accusers and Adversaries might be the better prepared to make reply thereto against the time of his arraignment, therefore he contain'd himself, and made no answer at all.

Whereupon the Lord Treasurer abruptly asked him whether he would hold him for a Traitor who should say that the Pope had any authority to deprive the Queen. His answer was, that he never heard any say so, and when he did his Lordship should hear what he would say. The Treasurer urged him twice or thrice to answer categorice: to whom he said that he wonder'd, he should be asked such questions, seeing he was accused of no such matter, and both had been, and was at all times ready to serve the Queen with his life and goods against any Prince or Potentate whatsoever: to which the Lord Chamberlain replyed. What against the Pope? He answer'd by asking whether the Pope was not included within the name of a forreign Prince or Potentate? And as he signify'd in a Letter to a friend, tho' he knew he might safely have answer'd affirmatively to y^t^ question, yet because he saw them determined to take his Life, as he then thought, and knew not how they would misreport his Words, for fear of giveing Scandal he would not answer directly. Then one of the Examiners said the *Pope was an errant knave*, another called him *Pild Italian Priest*, and the Lord Chamberlain entring into passion called the Earl Beast and Traytor, and said rather than he should not be hanged within four dayes, that he himself would hang him, repeating it once or twice. To which the Earl answered, the sooner the better if it please God. The which he said that the Chamberlain might know he feared not his threats, and when as the said Lord Chancellor urged him to set down under his hand that he would not answer to that question of the Pope's power to depose ye Queen he flatly denyed to do it, as being a thing no way belonging or pertaining to him. The Treasurer who said it was no marvell he was so settled in Religion, because he did read nothing to the contrary. He answered resolutely, that he neither did nor would do by his Lordship's favour. And therewith they all rose, left him and went their way.

L.

ABSTRACT OF THE DISORDERS OF THE TOWER.

26 October, 1588.

R.O., *Domestic Elizabeth*, ccxvii, n. 61. The original on broadpaper in two, sometimes three columns.

AMONGST SONDRIE DISORDERS IN THE TOWER THE CHIEFEST ARE THESE.

The Prisoners have daily letters conueighed from them to others and from sondry persons vnto the saide prisoners.

This is apparent by the confession of John Snowden, William Davyes, M^rss^ White, Ralfe Cooke, Widow Padmore, Tipping,

Ithell and divers others, and by divers letters intercepted and found sent as well from the Prisoners, as unto them.

They repair ordinarily one to another.

Snowdon confesseth the same, Cooke, Ithell, Bennett, Humphrey, and especiallie Davyes shewethe by what meanes all the prisoners in Coleharbert haue that entercourse, Bennet went forthe of his chamber by a wainscott doore and a hole in the wall. Sir Thomas Gerard let out by a key the Earle had. Touchenor cam forthe by Sr Thomas Gerardes lodginge, which is confessed thoroughlie. Abington had conference with the Erle in the Gallery halfe an hower together. Arden cometh forthe. Stoker and Digbie have access to one another, Abington had conference with Touchnor at his first coming into the Tower. The Earle of Arundell hathe accesse to Mr Shelley.

Mass is daily said in the Priestes chambers.

Proved manifestlie as well by the confession of Snowden, Davyes, Tippinge, as by the Priestes vestments, cakes, and other Tromperie they use. Also by the confession of Sir Thomas Gerard and Bennet. In Coleharbert masse was saide by Bagshawe, Benson (*sic*), Creyton and all the Priests that haue been there these many yeres. Bagshawe saide Masse also longe Sethence where Bennet laye last.

The Erle of Arundell releeueth the Papists and Priests with meat & money.

Snowden revealeth the same. Davyes dothe confesse to have receaved money of Hamonde the Earles servaunt. Sibley a waighter acknowledgeth he has three poundes given him by Hamond the E.: man for Leigh the Priest, and the E: was desirous to knowe if it were delivered. Many other presumptions fall out by th' examinations of Milborne, that it should be true.

Keyes and Files haue ben brought into the Tower.

Confessed by John Snowden, Rafe Cooke, Tipping and Humfrey that sent the same to Tippinge.

Divers of the waighters and of Mr Lieuteñts seruants corrupted and privy with these disorders of the Tower, and Instruments bothe for the Erle, & other prisoners giuinge of intelligence & conueighing of letters. Diuers of the waighters, maydes & diuers other poore women dwelling in the Tower imploied in conueighing of letters messages & other like seruyces namely,

Peter Wells, Richard Stansbie, Edward White, Thomas Bicknell, Greinfeilde, Ralfe Cooke, Widdow Padmore, good wyfe Cowleche, Sibley's maide, Gascoyne's mayde, one Elizabeth Bowlt, Cowleche, Mylton, Twyne, and diuers others.

When Prisoners are committed they haue warning giuen them not to confess any thing, & how to behaue them selves.

Snowden.

Diuers prisoners committed for the like cause have procured meanes to conferr together to agree in theire confessions.

Confessed by Snowden, Bennet, Davyes.

Keyes haue ben procured of lockes, wherby prisoners might have access and conference together.

Confessed by Sir Thomas Gerrard, Davyes, Bennet.

A comon thing for that respect to procure changing of lodginges.

Davyes, Bennet.

Diuers bad and traiterous speeches uttred by diuers prisoners in the Towre in the Clink, & in Newgate.

Confessed by Hewes [? Hewet], Davis & Snowdon.

Endorsed.—Abstract of the disorders of the Tower, 26 October, 1588.

LI.

PERSONS EXAMINED ABOUT THE TOWER.

n.d. [October, 1588.]

R.O., *Domestic Elizabeth*, cclxv, n. 135. In three columns, here indicated by dashes.

THE NAMES OF SUNDRY PERSONS THAT HAVE BEEN examined concerning the dysorders of the Tower: how they stande charged, and where they remaine.

Prisons—Names of Prisoners—Whereof they stand charged.

Counter in Wood Street—Sir Thomas Gerrarde, William Bennet priest, —Have performed ther duties in their confessions verie willinglie. —William Twyne—bare Andreas in hande he could carry letters to Mendoza, but as yt doth appeare never meante anie soche thing, but beinge in greate necessitie, to get some piece of money &c.—

St. Katherines,—John Hammonde,—Servaunt to the Earl of Arundel, a most willful and lewd fellow professed himself a Protestant, and went dailie to Mass. Privie to all the Earles doinges; advertised the Earle of his examinations yet could never be brought to utter anie thinge.

Gatehouse—William Shelley,—Privy to the Erles purpose to have praiers said for the good successe of the Catholique cause, which he hath confessed.

„ „ —James Tippinge—A most obstinate and presumptiously affected person.

„ „ —William Davyes—One of the first after Snowden that revealed the Treacheries of the Tower.

Newgate—Peter Wells—a Warder of the Tower.—An instrument for all purposes for the prisoners. Deceased.

„ „ —Humphy Fawlderinge,—Brought the keyes and files, laie longe time in Bridewell and Newgate, beinge verie sick was delivered upon bonds, to returne againe to Newegate, if he did not conforme himselfe. His friends verie well affected.

Delivered uppon bandes,—Stansbie,—Servant to the Lieutenant of the Tower, and an intelligencer for the Erle.

Tower—Anthonie Touchener,—Privie to the note that the Erle gave Sir Thomas to wryte out in Y^e^ Tower.

„ —Dixon—A Scholar of Oxforde, that would have gone beyond the sea, in the Tower quite corrupted, nowe ys become conformable.

Tower— — John Snowden.—First dyscoverer of all the dysorders of the Tower.

At libertie upon bandes—Ralfe Cooke—Servant to Sir Thomas Gerrrad, brought ye keyes into the Tower, confesseth his faulte very willinglie, and hath diverse times gyven advertizement of priests.

Counter in ye Poultrie,—Abington—Procured priests to come to the Tower, and massing apparrell by his meanes was provided. He also provided keyes for the Erle, and libertie for other persons. Denied upon his allegiance matters directlie proved against him, in moste lewde manner.

At libertie upon bond—Hughe Daye—Abington's servant used once to carry Masse vestments. The man seemeth not to be evill affected in religion.

At libertie upon bond—Godfrey Barton—Laie longe in the Tower to her Maiesties greate charg. Thence was removed to Newgat, and upon humble sute of his wyfe delyvered upon bonde. Charged with nothing but recusancie.

Wisbiche—Ralfe Ithell, and Alexander Gerrard—Two Semynarie priestes remoued from the Tower to Woodstreete to the Gatehouse, then to Wysbiche.

Newgate—Mystres Whyte—Condemned to die—Her Matie to be moved, &c.—Greenefielde.*

LII.

THE APOLOGY OF BENNET.

Yelverton MSS., xxxiii, 82, 83a, 84, 84b, 96. Though no documents are forthcoming since October, we learn from Gerard (*Below*, p. 203) that he received on the 14th a note from Bennet, showing deep contrition, and indicating that Waad was still pressing Bennet for further statements. Bennet's grief shows that he had already received the unsigned note (*Below*), which must therefore be earlier. Randolf's account of the circumstances (*Below*, p. 200) is the fullest and probably the most accurate. But Waad's version (*Discourse*, §§ 10–12) and Bennet's (p. 199) must also be studied.

i. Unsigned Letter to Bennet.

n.d. [? 13 December].

The substance and effect of a letter written unto M^r^. Bennet, priest prisoner in the Tower sett downe by Richard Randolph, gent. on the 15 of December 1588.

Right reverende father, and somtyme my ghostly child. The report cumeth in the world that you have brought in question by your accusation the right honorable and most noble confessor the Earle of Arundell, wherin I thought you to vertuous to execute, and he to wise, to move it unto you. Yf he had moued you to a matter which was unlawfull, it had been your part as a ghostly father to have advised him the contrary, and yet to have concealed it, as the defect of your ghostly child; and if after he did persever, then to have revealed it.

* Owing to clerical carelessness, Greenfield's name is so entered that he might seem to be in exactly the same case as Mistress Whyte. In reality this cannot have been intended, as he had escaped and eventually went to Flanders (*C.R.S.*, v, 258). Dorothy White, widow, "for money had both pardon and liberty" (Pollen, *Acts of English Martyrs* pp. 91, 289, 311).

Call to mynde what you have sayd or written, and lett not that sacred mouthe of yours, whiche hathe power to pronounce remission of sinnes to the wretched penitent, open it self uniustly to pronounce anie thing against so noble a Confessor, nor [let] those anointed fingers write to anie suche effecte. But if you have through frayltie fallen with Peter, I advise you as my ghostly childe to ryse with him, and by his example make your frayltie a foote stoole to helpe you to heaven. And because a perfect repentance, as you know, cannot be made without perfect satisfaction, let that hand, which hathe offended withe writing uniustlie, make amendes with writing truly. I nede not I hope, putt you in minde of the daunger of irregularitie for shedding the blood of so noble a prince, Repent while you have tyme ; and saie not,—Another daye ;—That you knew not what you did. A man forwarned is half armed.

Thus commending you and your causes to allmighty god, unto whom all rekoning and accompt must be made, I expect your aunswere.

ii. Bennet to the Earl of Arundel.

n.d. [? 14 December].

Simultaneously with the letter to Gerard, Bennet wrote to the Earl. There are two other copies of this text. That in *The Life*, pp. 90–92, is presumably the most authoritative, as it has with it the covering letter sent with it to the Countess, presumably from Mr. Randolf. The other copy is in Lansdowne MS., xciv, f. 39, printed in M. A. Tierney's *Arundel*, p. 746. This is identical with *The Life*, so we may suppose that the Countess supplied the copy to Lord Burghley, a supposed friend. He endorsed it "23 January, 1588, Benet to the Earl of Arundell," and so left it among his papers. This Yelverton copy only professes to be "the effect" of Bennet's letter, so we may expect considerable curtailment of the non-essential parts, and such reductions there are ; but it will only be necessary to quote one or two. On the other hand, there are several short, unimportant phrases in this, here marked with ††, which are not in the other copies. It would therefore seem that Randolf must still have had by him and copied some draft of the letter. This would explain all the variants.

The Effect of M[r] Bennetts letters unto the Earle of Arundell sett downe by Richard Randolph gent. 15 December 1588.

Right honorable and most noble Peare, I most humbly uppon my knees crave pardon for my great offence, whiche I have committed against your honor in my late troubles and confessions : So it is right honorable that I being brought in question and examined about Tower matters as sending of messengers to and fro withe letters, notes, churche stuffe and suche like, my aunswers unto whiche not beinge unto their lykinge, a letter of mine owne handwryting whiche I writt to a priest there in defence of my jurisdiction by him brought in question was produced. †Wherein I shewed my jurisdiction to be lawfull, whiche letter,† because there in I deriued my authoritie from the Sea Apostolike, †was urged heauily to my charge,† saying that I was for that cause only a dead man in the lawe without her Majesties speciall pardon, whiche was †undoubtedly† promised upon condition &c. pauca sapienti, †and if I fayled, I should not only returne to the Tower and torments before tasted, but also stande out of all hope of life and

libertie.† Which unexpected letters of mine withe †manie terrible† threats of deathe, tower and torment mixt withe manie faire speches and promises I was stroken in suche a maze and astonishment,* †that I promised to satisfye their expectation,† and being demaunded whether I did not knowe, or was privie unto a note whiche your honor shoulde sende unto the Priests in Cole Harber to pray for the good successe of the Spanishe fleete‡ my aunswer was that I knewe of no suche note, but§ that you moved me to saye a masse of the Holie Ghost for the good successe of the Spanishe fleete; for whiche uniust accusation †as touching the cause† I againe and againe withe a torne and rent hart and conscience praye allmightie god and you mercy and forgivenes,|| Thus restinge my poore afflicted conscience in gods mercy, I will not doubt of your charitable pardon and forgiuenes, praying to god to defende you from harme bothe of bodie and soule. [Amen.

Your Honour's poor Beadsman

Will. Bennet, Priest.]

iii. [? Randolf] to the Countess of Arundel.

Covering letter, presumably by Randolf. Printed at p. 93 of *The Life.*

To the Right Honourable, the Countess of Arundel these be dd[a].

My duty (Right Honourable and very good Lady) considered; these are to advertise your Ladyship, that whereas my Lord your Husband hath been wrongfully accused by one who hartily repenting himself thereof, hath here, as I take it, both acknowledged this fault, and craved pardon for the same, I thought it a part of Christian charity (though I am utterly unknown both to your Lord and yourself) to convey them to your Honour close sealed, hoping they will be some testimony of your Husband's innocency. Charging your Honour, as you will answer at the dreadful Day of Judgment (pardon me good Madam I beseech you) not to accept of them, except you resolve never to shew them till your said Husband come in question. And thus hoping to find that expectation of honour and virtue, which is esteemed to be in your Honour, I do most humbly take my leave committing your Honour to God's merciful tuition. [*No signature.*]

iv. W. Bennet to [William Waad].

[The Counter Prison], 15 December, 1588.

The day after the penitent letter to the Earl, Bennet changed his mind and wrote the following letter to Waad. Such mutability is, no doubt,

* The other texts continue, "that I confessed everything that seemed to content their humour, which I perceived not at the first, altogether to tend to the ruin of your honour."

‡ Hence we see that the Government knew of the alleged prayers for the Spanish Fleet before either Bennet or Gerard had confessed, and *suggested that important phrase* to Bennett.

§ The other texts continue, "With a guilty, fearfull, unjust & most tormented conscience, only for saveing of my life & liberty I confessed."

|| The last clause is thus expanded in the other texts, "And againe to my life's end most instantly crave of God's pardon and yours, and for my better satisfaction of this my uniust suggestion, I will if need require offer up both life and limbs in averring my accusation to be, as it is indeed, and as I shall answer before Almighty God, before the face of Angels and men most unjust, and done only of fear of the Tower, torments and death."

extraordinary. But we must remember that we are dealing with a singular character, who has suffered, and is suffering from extreme nervousness. Over such characters imminent danger entirely predominates. We have another example in Tyrrell, p. 153.

Confession of William Bennett.

15 December, 1588.

Mr Randolph, gent. prisoner in the Counter sundry tymes had conference withe me concerninge what I had revealed of the Earle of Arundell, and I tolde him the greatest thinge I had made apparant was that the Earle of Arundell requested me to saie mass of the Holy Ghost for the good successe of the Spanishe fleete, and that I aunswered his Lordship that there was a Masse *ad tollendum scisma* & that I did saye thrice, and the Earle of Arundell & Sir Thomas and Hamon were at the first.

Mr Randolphe hearing these speeches, said unto me, truly Mr Bennett I am sorie to heare it, the world condemneth you and Sir Thomas Gerrarde that bothe you and he have hurt the Earle of Arundell greatly. But be of good cheare I will be a meanes to saue your creditt.

Shortly after these speches Mr Randolph deliuered a letter unto me the which I did peruse with no small griefe for that I was charged withe irregularitie and to be guiltie of shedding innocent blood, that of so noble a confessor and mightie Prince. I marveyled at this style. Randolph aunswered they use to write him soe beyond the Sea. And so uppon the sight of this letter to save my credit, and to appease the rumours abroade Mr Randolph and I deuised a letter unto the Earle of Arundell, and thoughe the matter came from me, the substance and forme was of Mr Randolph. The effect was as followethe :

That the thing which I had confessed were uppon feare and contrary to my conscience and that it would please his honour to pardon me & I said I would avouche it before any person.

The whiche were but fayned speeches to save my credit withe the worlde, for the whiche offence I humbly craue pardon of her Majestie and you, right honorable : and that I will not goe from anie thinge sett downe in my former confessions.

[*Note by Beale on the opposite page, f.* 83*b*.]

Memorandum. That Bennet the priest died that summer and was (as Mr. Waad told me) thought to have been empoisoned for having declared his [*manuscript* in this] knowledge in this cause.

v. The Confession of William Bennet.

The Counter Prison, 16 December, 1588.

Next day both Bennet and Randolf were formally examined.

Confession of William Bennett priest.

16 December, 1588.

Mr Randolphe having had conference withe me about the xxvi^th^ of November last at sondrie tymes concerning Tower matters, I tolde him that I was examined before Sir Thomas Henneage knight vice-chamberlaine to her Majestie &c. and that I had confessed that I had sayd Masse in the Tower divers tymes and that it was revealed by one

Snowdon, and that I had said Masse before the Erle of Arundell, and that he desired me to say Masse of the Holy Ghost for the good successe of the Spanishe fleete, and I aunswered His Lordship that there was a Masse *ad tollendum scisma* and that I meant to saye three tymes, and that the Erle and Sir Thomas Gerrard, knight and Hammon, servaunt to the Erle were at the first Masse. Wheruppon I asked the advice of the said M[r] Randolph, what daunger I was in by the law, and he aunswered that I was in some daunger :

Uppon the which aunswer, I tolde him of a letter of my authority, whiche was founde in M[r] Ithells chamber, did so amaze me that I knewe not well what to saye : and M[r] Randolph hearing these speeches, seemed to pitie my case for that I was accompted but a dead man in the Lawe. Moreover I tolde him that the rumour was in the Citye, that I and Sir Thomas Gerrard had greatly iniured the Erle of Arundell, "I am sorie (quothe he againe) to heare that, and I my self have heard as much ; but be of good chere, I will helpe to saue your creditt."

Shortly after there came a letter unto M[r] Randolphe, whiche charged me withe irregularitie, and that I was greatly misliked for accusinge of so noble a Confessor and worthie Prince, at whiche style I marveled greatly : Randolph aunswered that they did use to write him soe beyonde the Seas ; upon the sight of the whiche letter, I fayned some matter for savinge of my credit, and gave the same unto M[r] Randolph. The contents whereof were but fayned speeches to take the rumour awaye in the worlde. And allthoughe that I this examinate did deliver the matter in parte unto the said Randolphe yet the said Randolphe did sett it downe in forme of a letter and in suche sort as maye be sene by a copie of the same, for Randolphe himself did mislyke the draught that I did make and tooke that and drew it in other forme and in other wordes : and dealt likewise withe me to dispatch the same, for that it was not knowen what might happen by meanes of sicknes or otherwise, and also that I should be secrett and would never be acknowen who gaue him the letter, that he the said Randolphe deliuered me, nor from whome the same was sent.

William Bennett, Priest.

vi. The Confession of Richard Randolf.

The Counter Prison, 16 December, 1588.

Bennet arrived 16 October at the Counter and met Randolf on 26 November.

Confession of Richard Randolf.
16 Decembris 1588.

1] M[r] Bennet priest and prisoner in the Counter after he had the libertie of the house had common accesse unto me with others that lodged where I did, and now and then dyeted with us, and now and then laye in the chamber with us, and usinge speaches of his greate troubles & vexacion which he had endured since he sawe me last. I asked him what the matters were : he aunswered, "Tower matters," "tower matters." Uppon which I tolde him that, if it were true that was commonly reported, that he and the rest prisoners there had deserued to be hanged at the Towergate for example.

" What is that ? " (said he). Quoth I. " That the prisoners there went about to surprise the Tower and treasure there, to kill your keepers and become lieutenaunts your selves." Whereat he laughed and said there was no such matter intended.

" How then (said I) about notes for prayinge and sayinge of masses. Had you such scope (said I) as to saie Masse." " Yea," said he, and laughed.

" How cam this to be knowen ? " said I. Sayd he, " By a mariner that was prisoner, who fayned him self a Catholyke and so cam to knowe all the secretes of the house, and how the church stuffe was carryed and recarryed: and when he sawe his convenient time he took the missall and sent it to Mr Secretarie Walsingham. Wheruppon ensued a priuie searche, the secret places discryed & stuffe taken. Wheruppon diuers of us were remoued, some to one place, some to another."

2] Then he tolde he was before Sir Thomas Heneage at the Savoye: where after a speache by him made to what effecte I gaue lytle attencion but only that he should goe to the Counter, and that Mr Waad should further examine him, in which if he did behaue him self well he should haue favour, or else to looke for none. And beinge after examyned by Mr Waad uppon certaine pointes which he could not aunswer unto: wheruppon Mr Waad should bidd him not to halte, for he had under his owne hande that was as much as his life was worthe: which he saicthe he entreated to see: which Mr Waad consented unto, and looking among his papers could not without some difficultie finde it presentlie, sayinge, " I doubt I have lost it [in] which I haue don you a most friendlie tourne ": But findinge it, he [Bennet] could not (as he said) denye it to be his: which as he tolde me did so greatlie amase him, as he could not tell withall what to saye or doe; but through his extreme terror and feare confessed manie thinges (as he said) sayinge " God forgeve me for it."

3] And so passinge the matter of, beinge unwillinge to heare anie more of his doinges, remembringe the late trouble he brought me into by reason of a marriage, which I only amoued unto him a 2 yeres since,* which he did most untrulie & uniustly affirme to be a nobleman and a courtier, as Mr Justice Yonge did avowe uppon his othe unto me: of which since our unfortunate meetinge in the Counter he hathe asked me forgevenes.

Yet he after asked in what case he stoode, in rigor of lawe for his life, by reason of his letter. I tolde him that if he were made a priest before the daie mentioned in the Statute of 27 of her Majesty's reigne, then he was not in danger as I thought, but as an olde massinge priest, which is but a pecuniarie paine: and that his iurisdicion was in respecte of his priesthood, and had relation to his priesthood, and not his priesthood tc it.

4] Then at another time he demaunded what danger he was in: for he had confessed that he had said Masse or was moued to saye masse of the Holie Ghost for the good successe of the Spanish navye. I aunswered, I thought it high treason. With that he putt his finger

* This is mentioned in *C.R.S.*, ii, 260.

to his mouthe and spake a welche terme, that he usethe, and laughed. "If you have don this (said I), Lorde haue mercie uppon you. Your 4 quarters must paie for it." "My faithe (said he), I haue greate promyse of favor and speedie deliuerie, for I have protested that I said to no such ende." Therin I tolde him would rest the substance of the matter.

5] Thus passinge some weekes with a troubled and discontented minde & conscience; now in good hope, then in despaire; now mery, now melancholy, he would wishe that his examinacion were to be taken againe. But what the cause was, I was not inquisitive. At another time he cam to me and tolde me that the reporte went about the towne that he had brought the Erle of Arundell & Sir Thomas Gerrarde in greate trouble. I asked him who brought him suche newes: he tolde me poore Gryffin his taylor, and he wondred how that reporte should rise except it were by Stavye* that was prisoner there not longe since, and said that he had confessed nothing but that Sir Thomas had confessed under his owne hande, and said that he had don the Erle most wronge.†

6] After this a maide brought a letter unto me with desire of an aunswer therof. What she was, or from whome she brought it, I protest as I shall aunswer at the dreadfull daie of iudgment I knowe not.‡ I bidd her come againe 3 or 4 daies after, and before her retorne I viewed well the letter, and seing and perceauing the contents therof to tende but onlie to good counsell, as not to burthen his conscience with anie uniust accusacions, and that if he had anie wayes or meanes offended that he should by the lyke wayes and meanes make recompence, I deliuered the letter unto him who readinge the letter once or twise, he marvayled who should send it, acknowledginge that whosoever it was, he was much beholdinge unto him for the great care he had of him.

The letter unto Mr Bennet I copyed out word for word and shewed it unto him in my hande. But before his answer made thereunto I burned bothe the originall and the copie.

7] "And yet," saiethe he, "he chargethe me with the danger of irregularitie." "Yea (said I) if you did uniustlie endanger or seeke to shed innocent blood." "Why (saieth he) I doe not and god forbid that I should be the ouerthrowe of so noble a man": and that he would first leefe his owne lyfe then anie waye endanger his, if the matter should come in publyke question. I tolde him he might doe well to discharge the parte of a good conscience howsoeuer the matter went. "He doethe," said he, "by this letter expecte an aunswer whiche I will consider of," & which, after some consideracion had, he entreated me to wryte a letter, the substance whereof he would sett

* Stavye will be Richard Stansby (*Above*, pp. 194, 195).

† This is both mean and untrue. Bennet began, and Gerard confessed on his evidence.

‡ Randolf says he does not know who sent the maid. If, however, the covering note above was from Randolf, he knew to whom an answer should be returned. But there is no contradiction here.

downe and declare by worde of mouthe, (the effecte and substance of his letter which I haue as neare as I can remember sett downe) which I denyed to doe, demandinge of him whether he neuer wrote unto his honor, who said, "Yes, that he had." "Then (said I) you are not ignorant in what forme it should be." "Well (said he) I will doe it as well as I can," and after he had roughlie drawen his letter to the effecte aforesaid, both in matter and forme, onlie I wished him leaue out in his newe letter, the latter ende of his note in the first letter, which was to this effecte*: "And thus good Christian people you maye see in me the frailtie of Peter with his fall: Therefore I beseech you to praie for me that I maye in lyke manner with teares repent and rise with him." *By me,* RICHARD RANDOLF.

LIII.

SIR THOMAS GERARD TO WILLIAM WAAD.

The Counter, 16 December, 1588.

Yelverton MS., xxxiii, f. 93b. This paper again shows Bennet's rapid transition from "weeping tears" of penitence to his "unjust" and dishonourable machinations against the Earl. He is in Waad's hands, and it is doubtless Waad who has obsessed the weak-minded creature with the overpowering dread, *the Queen will know all!* On Saturday, the 14th, his sorrow was doubtless due to the anonymous letter of that day, and we may be sure that he would not have written thus to Sir Thomas, unless his grief had been genuine for the moment. But on the 15th, as we know, bodily fear had overcome the sense of justice and honour, and with them, of course, all the higher perceptions of truth and duty. So he now writes a most crafty note to lure the Knight on to support him in his story against the Earl, and thus to provide Waad with two witnesses against his victim. Sir Thomas had for two months maintained his ignorance on the point whether the Earl had asked to have Mass said for the Spaniards, at which Mass (which was eventually said *ad tollendum schisma*) he had himself been present. He at once sees through Bennet's craft, and resents his insidious question. Yet he, too, as we see from the conclusion, is but too ready to "be of service" to the unscrupulous Waad, and the pieces which follow will indicate some of the steps which eventually brought him to consummate his treachery towards his innocent friend.

The letter starts without any heading or greeting at the top of f. 93b.

Uppon Saterdaie beinge the 14th of this December Bennet the priest sent to me a note wherin was conteyned these wordes followinge or to that effecte, viz. :—

'With sorrowfull harte and weepinge teares (good Sir Thomas) I 'craue your w[orship] pardon or forgevenes in those thinges wherin 'I haue offended you.

'M[r] Waad tellethe me that you tolde him that Hammon did saie at 'diuers times that he hoped his Lorde and all we should be at libertie 'or it were longe. If your worship haue said so I praie you let me 'knowe and retorne me an aunswer with speede and sende backe this 'note. 'Yours to command

'William Bennet priest.

'I doubt we shall have greate trouble shortly.'

* Similar words occurred in the anonymous letter to Bennet.

Wherunto in the same paper I aunswered him in these words or the like.

'Doubt nothing if you doe your dutie. I have hearde Mr Waad 'speake good wordes of you: the truthe seekes no corners. I haue 'said that Hammon said so at diuers times indeede: and if you knowe 'the same, it is good you expresse it for the service of her Majestie. 'Retorne me the particularities of your doubtes of trouble. I doe 'forgeve you with all my harte wherin you have don me anie wronge.'

On Sondaie beinge yesterdaie [15 December] he wrote againe in two papers to this effecte, viz.:

'I praie you resolue me what you have said when the Erle of 'Arundell wished me to saie a Masse of the Holie Ghost for the good 'successe of the Spanyardes.

'Resolue me whether you haue said, that the Erle sent unto them of 'Colcharber to saye the lyke masse. I said the Erle, you and Hamon 'were at the first of those three masses which I said, and tolde the same 'Erle should be *ad tollendum schisma*.'

f. 95. And following my former perswacions in the first note, he againe retorned these wordes also in these wordes in this note.

'Sir Thomas remember the truth and expresse it, for verelie I haue said all I can remember.'

And in the margenthe also wrote these wordes:

'Sir Thomas halte not, for the queene will knowe the truth.'

When I red these two papers I made aunswer as followethe in another:—

'I doe not lyke of these maner of proceadinges, that is to saye in 'wrytinge and sendinge in this secret sorte, althoughe I deeme you 'meane it sincerelie, as I take god to witnesse I doe: What you haue 'said concerninge the truthe and her Majesties service, it is well don, 'and I wishe you to perseuere therin. What I haue don or said, it 'is but my duetie whatsoever, all which I refer unto good Mr Waad, 'your friend and myne. If you can or doe remember anie more con-'cerninge these causes, make it knowen to Mr Waad, and god willinge 'I shall resolue you before him: but in the meane time wryte no 'more, for doubt of offendinge.'

Thus muche good Mr Waad I have thought it my duetie to present unto your viewe, as an earnest pennye of my most resolute and future service to be accomplished, when and as often as anie occacion or oportunitie seruethe, of what importance soeuer: the which I shalbe more able to performe, if these thinges and the lyke be not knowen to come from me. December the 16. 1588.

Your poore and assured friend
THOMAS GERRARDE.

LIV.

THE JOINT CONFESSIONS.

18–26 February.

Yelverton MS., xxxiii, ff. 94–99. There are no titles to these papers. The joint confessions are the natural sequel to the weaknesses displayed in the last paper, and they form the transition to Gerard's final and complete confession, in which he swears with servility to Bennet's words and makes himself the second witness against the Earl.

We are not able to give reasons for all the repetitions which these papers contain. One reason for this may be that our series is not clear, because it is incomplete. Waad cites a joint confession in § 9 of his discourse, which is not here; and Gerard also quotes it in his § 12. Looking at the documents as they stand, we may believe that they were drawn up, partly to practise the two witnesses in standing together during the painful ordeal of dealing their deathblow in public against their perfectly harmless friend. Bennet had once before gone quite round in this matter, but practice would make him steadier in making his confession. We know from *The Life* that as the two were once called into the Earl's presence, and after he had been ordered to keep silence, they acted their parts so arranged.

Again, in these repetitions more and more words, which told in the Earl's favour, were eliminated. This is clearly seen in the clauses about the non-existent bull of excommunication. *See* p. 210.

Though the knight is mentioned before the priest, the inference is that the priest led the way in making the confessions. Compare, i, § 2, with ii, § 2; and iii begins with the plural "we," but goes on in the singular and only Bennet signs. In iv Bennet begins, and Gerard afterwards signs § 3.

Joint Confession I.

18 February, 1588–[9.]

1] Sir Thomas Gerrarde and Bennet doe bothe confesse that when the Erle had newes to his likinge of the good successe of the Spanishe fleete he would be exceedinge ioyfull and use verie homelie wordes and unfitt to be spoken of the feare of her Majestie and her Counsell.

2] Bennet doeth remember that he hathe hearde it spoken that Cardinall Allen should directe the Crowne accordinge to his conscience. These wordes were spoken about the discouerye of the Spanishe fleete, in the place where they heard masse.

3] Sir Thomas Gerrarde and Bennet doe bothe confesse that the Erle would ordinarilie wishe and praie for the good successe of the Spanishe fleete.

4] When the Spanishe fleete was discouered the Erle would saye nowe they shall knowe that we haue friends.

5] The Erle tolde once to Sir Thomas Gerrarde and Bennet about Whitsontyde that or euer midsommer daie he did not doubt but to see the Catholyke faithe restored here in Englande.

6] At the same time he tolde of a newe Bull against her Majestie of excommunicacion: wherof he said the Archbishop of Caunterburye had the Copie.

Ex^m^ p. [*William*, cancelled] *Waad.*

Thomas Gerrarde.
W. Bennett, priest.

Notes in Beale's hand below the above, but referring to § 4 *of the next paper.*

Anno 1587, when the Spanish fleet passed.

Whitsunday was 3 Junii.

Midsommer was 24 Junii.

The A.B. [Archbishop's] letters for the Bull to Mr S. N., ut patet per literas, 27 & 28 Junii.

N.B.—Previous depositions.

Beale's calculations are here wrong. The year when the fleet passed was 1588, and Whitsunday was 26 May. Still, the date of Archbishop Whitgift's letter to Mr. S. N.—27, 28 June—has not been arrived at by calculation, but from the actual letter, and may therefore be trusted. *See* p. 172

Joint Confession II.

18 February, [attested 21 February, 1588–9.]

1] Sir Thomas Bennet [*sic*] and Bennet doe bothe confesse that when the Erle of Arundell harde newes to his lykinge of the good successe of the Spanishe fleete he would be exceedinge ioyfull, and use very homelie wordes and unfit to be spoken, of the fear of her Majestie and the Counsell.

2] Bennet and Sir Thomas doe remember that they harde the Erle saye, that Cardinall Allen should directe the Crowne according to his conscience. These wordes were spoken about the discouerie of the Spanishe fleete in the place where they had masse.

3] Sir Thomas Gerrarde and Bennet doe confesse that the Erle would ordinarilie wishe and praie for the good successe of the Spanishe fleete. When the Spanishe fleete was discouered the Erle would saye, "Now they shall knowe that we haue friendes."

4] The Erle tolde once to Sir Thomas Gerrarde & Bennet about Whitsontyde that or ere Midsommer daye he did not doubt but to see the Catholik faithe restored here in Englande. At the same time he tolde of a new Bull against her Majestie of excommunicacion, wherof he said the Archbishop of Canterburye had a copie.

5] Sir Thomas Gerrarde and Bennet doe further remember that uppon the Erles wordes that Doctor Allen was to determine the Crowne: Sir Thomas aunswered, "My Lord, that is a purple worde." Wherunto the Erle replied, "Why not after her deathe."

Subscribed Thomas Gerrarde.

Ex^m^ p. Wylliam Waad. William Bennett, priest.

f. 98. The xxi^th^ of Februarie 1588. Sir Thomas Gerrard knight [declareth] that this his confession, for so muche as is affirmed by him, doethe conteyne the truthe, which he is readie to confirme with his corporall othe and to avowe it anie time before the Erle of Arundell.

Thomas Gerrarde.

[*Countersigned*] Christopher Hatton, Canc. W. Burghley H. Hunsdon Thomas Heneage.

This was also acknowledged, the said xxi^th^ daie of February 1588, by William Bennet to be in all thinges true for so muche as is affirmed by him, whiche he is readie to confirme by his othe and to avowe at anie time before the said Erle. William Bennet.

[*Countersigned*] Christopher Hatton. Canc. W. Burghley. A. Hunsdon. T. Heneage.

JOINT CONFESSIONS III (but verging into that of Bennet only).

19 February, 1588.

1] We confesse that we have hearde the Erle of Arundell saye oft-tymes. Their kingdome is neare an ende.

2] Also the Erle desyred Sir Thomas Gerrarde and me to promyse unto him our faythe solemely by worde of mouthe and ioyninge of handes that we should not reveale anie thinge that had passed amonge us, but I refused and denyed it, but Sir Thomas Gerrarde did bothe, and the Erle in lyke wise unto Sir Thomas. Then the Erle mislykinge and greatlie suspectinge me, aunswered, "Althoughe father Bennet confesse sayinge of masse and hearing confessions, he will not reveale anie thinge he hathe hearde in confession," the which speaches grieued me sore. And so I departed to my chamber with a heavie harte. Then the Erle sent me worde by Sir Thomas Gerrarde that he would denye all if he was called in question. WILLIAM BENNET, priest.

JOINT CONFESSION IV.

26 February, 1588.

Bennet again goes first, Gerard then repeats § 3.

1] The Erle of Arundell hearinge of the Spanishe fleete which was reported to be so greate as a mightie forrest of twentie miles longe.

2] Which newes made the Queenes Majestie and the honorable Counsell greatlie amased, and the Erle of Arundell to be glad.

3] Then would the Erle say, "Lett us have three masses a daie," which was for the good successe of the Spanishe fleete.

4] Moreouer the Erle did saie, "Lett us praie, we will haue masse if the Spanyardes beate downe London Bridge."

WILLIAM BENNET.

5] The Erle of Arundell did saye unto us when the Spanishe fleete was discouered, That he would have three masses a daie in the Tower for their good successe.

Thomas Gerrard. W. BENNET.

LV.

CHARGES AGAINST THE EARL OF ARUNDEL.

No date. Before 26 February.

Yelverton MS., xxxiii, ff. 81, 82. The manuscript is arranged in a tabular form, beginning with four columns, and passing to three, then to two; the distinction of columns, however, is neither quite consistent nor quite precise. It would be difficult, indeed, to set out with precision these varying columns in our small pages, nor is it at all necessary for the sense. If the reader will mark the dashes he will easily perceive when he is passing from one column to another.

The charges are probably drawn up by some Star Chamber official (say Waad), and represent the state of the case as it was at the end of their investigation, when they handed it on to the Crown lawyers, who took the final depositions. § 8 shows that Sir Thomas had not yet confessed as fully as he did in his final examination, when he used Bennet's own words. But

before that, in the *Joint Confessions*, he had been approximating to the priest's words, and in iv, § 5, he had "in some sort" confessed what was wanted (but this is dated 26 February).

CHARGES.

The Earle of Arundell charged as followeth :

1] To relieve the priests in the Tower with money and other relief—

a] He sent Harryson the priest at his first comminge into the Tower, to buy him a bedd, three poundes.—*Confessed by*—John Snowden.

He sent twentie shillings to Gerrard, the priest,—*Confessed by*—John Snowden.

b] He sent by Hamonde his servaunt xl^{s} to Davies at one tyme besides other sommes and 20^{s} by Bennett—*Confessed by*—Daviee, Bennett.

c] He hathe sent money also to—Ithell—*as appeareth by*—Snowden & Davies confession. Two letters from Ithell of Thanekes ; Ithell will not deny as much, but is lothe to confesse it. The Earles letters implyeth as much.

d] He hath given Bennet money to bestowe on the prysoners—Bennett [and] Gerard *confessing it. Confessed by*—Davies, Sibley & Sir Thomas Gerrard.

e] Three or fowr times the yere he sendeth money to the priests & prysoners—*Toulde by*—Ithell to John Snowden, Bennet commaunded not to be acknowen of the releefe his Lordship gaue the prysoners—*knowen to all the prisoners.*

2] To write & receave letters from—Ithell Tipping Leighe—*Confessed by*—Ithell, Snowden & Bennett, letters extant.

3] To have corrupted and gained diuers of Mr Lieutenaunts servaunts and of the waighters in the tower to be at his deuotion—Richard Stansby, Edward White, Grenefield, Peter Well, Thomas Bricknoll—*Confessed by*—Snowden, Robert Milborne, diuers other which have been examined, and an apparaunt matter. He hath conueighed Grenefeild out of the waie.

4] To haue heard masse euerie Sonday, Holydaye, and once or twice the weke, sithence Christmas last—*Confessed by*—Sir Thomas Gerrard & Bennett, Touchenor ; Dauys and Snowden confesse it, and it was knowen to all the prysoners, by the use of the masse stuffe borrowed of Tipping and other new masse stuffe which Abington did procure, and [that] the Earle paied for it, doth manifestly appeare.

5] To haue had accesse to prysoners and conferance—*namely with*—Sir Thomas Gerrard, Mr Shelly, Abington, Touchenor.

6] Procured keyes for opening of doores—*Confessed by*—Stoker, Dauy, Sir Thomas Gerrard, Bennett.

7] Procured masse to be often said upon the discouery of the Spanishe fleete for their successe—*Confessed by*—Sir Thomas Gerard, Bennett.

8] He commaunded Bennet to say a masse of the Holly Ghost for the successe of the Spanishe enterprise, wheruppon Bennett said a Masse to the Earle, *ad tollendum schisma*, wherto the Earle was the Clerke—*Confessed by*—Bennett, and in some sort by Sir Thomas Gerrard.

9] He sent aduise to Hammond how he should aunswer if he were called before the Councill or in the Starr Chamber, and promised him reward that he should not talk whilst he liued—*apparaunt by*—the Earles letter written by Greenfeild, whom he sent out of the waye.

10] He shewed often by speache that his deliuery and hope stood upon the good successe of the Spanishe fleete, and the invasion of the Duke of Parma—[*No confession mentioned,* presumably the lost *Joint Confession*].

11] Upon the discouery of the Spannishe fleete he deliuered a note to Sir Thomas Gerrard of his owne hand to be communicated to the priests and other prisoners for continuall prayers to be had for the advancement of the Catholique enterprise—*Confessed by*—Sir Thomas Gerrard.

LVI.

ARTICLES FOR EXAMINATION.

Yelverton MS., xxxiii, f. 95. These articles appear in the manuscript without any title, written by the scribe more or less as a postscript to Joint Confession I. In reality they are a list of articles to guide the examiners in extracting the final examinations. They are all answered in Gerard's examination, p. 211.

The Government's object, we see, is to make the evidence represent the Earl as desiring success to the Spanish Fleet pure and simple. In reality we find, even in Waad's earlier documents, that the objects of the Earl's prayers were more often than not, the triumph of the Catholic cause, or enterprise, or religion, or for liberty. But all this is to be eliminated if possible. In the indictment below we find them actually omitted. The only thing alleged to be desired is Spanish victory, see p. 215.

In § 5 preparation is made to meet one possible line of defence for the Earl, viz., that his prayers for the Catholic enterprise were occasioned by fears of a massacre of Catholics when the Spaniards landed, *see* p. 215, *Chronology,* 27. iv. The matter is glanced at in *The Life*, but in his trial we find no allusion to it. From the words here used it is certain that the Earl had used the plea somewhere, perhaps in his examinations in the Tower, of which no official record remains.

In § 4 "him" is Bennet, but we have no answers from Bennet on these articles.

1] That the Erle had intelligence of the intencion of the Spanish fleete before their comminge. [*See* Gerard, ii, § 4.]

2] That there was a motion made by the Erle for prayer to be used for the good successe of the Spanishe navye. [Gerard, ii, § 5.]

3] That a note was sett downe in wrytinge by the Erle for the order of the praier. [Gerard, ii, § 7.]

4] That the Erle moued to him [Bennet], and then had a masse said for the prosperous successe of that fleete in this enterprise. [Gerard, ii, § 6.]

5] That the bruite of the massacre said to be intended was after the masse said and the note aforesaid sett downe. [Gerard, ii, § 9.]

6] That the Erle said uppon the aryvall of that fleete we should haue lustie plaie shortlie, and shall plague them that have plagued us. [Gerard, ii, § 5.]

LVII.

SIR THOMAS GERARD'S FINAL EXAMINATION.

[? The Counter Prison], 26 February, 1589.

Yelverton MS., xxxiii, f. 99b–102. Here at last in § 6 Gerard supports Bennet in the charge about Masses for the Armada. But, according to our ideas, their concurrence is not less suspicious than their previous dissent, for now Gerard speaks in Bennet's own words! We know from Waad that Gerard has been pressed with Bennet's words for the last four months.

The answers are constructed out of all the earlier answers, including some of Bennet's, and some now lost, as the *Joint Confession* cited by Waad's *Discourse*, § 9. Of Gerard's original examination of 25 October, §§ 3, 4, 7, 11, 13, are now omitted.

The object of the minor changes and omissions cannot always be understood now, but in some cases the methodical aggravation of the charges is obvious. In § 3, for instance, the answer given in *Joint Confession*, i, § 6, has been slightly modified. There it was stated that the (never issued) Bull had arrived in England, and that "the Archbishop of Canterbury had the copie." People would easily from this surmise what the truth was, viz., that the rumour of it had got out from Lambeth and reached the Tower. So the clause about the Archbishop is now eliminated. On the other hand, Gerard's first vaguer general assertion of the date—"At the same time" as some other words of the Earl spoken "about Whitsuntide"—is made a trifle more direct and precise. "The words [about the non-existent Bull] were used about Whitsuntide." As the evidence now stands it means that the Earl knew about the alleged Bull on 26 May, through his own private channels, nearly three weeks before it reached the Government. A false and perjured statement.

The Government got the first news 12 June (p. 169). The Archbishop of Canterbury wrote about it 27, 28 June, as we learn from Beale. From Lambeth the spreading rumour might soon reach the Tower (p. 172).

But Sir Thomas Gerard's endeavours to set down by memory the exact day when the rumour reached the Tower, cannot command confidence. Memory is most liable to telescope when it is strained to particularise exact days, several months past, in an absolutely uniform life. Gerard, at eight months' distance of time during a close and uniform imprisonment, places the news of the Bull at Whitsuntide (26 May). Such a statement merits no reliance in itself, and much less can it bear comparison with the above dates derived from contemporary papers.

Perhaps some may say, after all Gerard's date was probably only three weeks out, which was not much under his circumstances. Certainly that is true, but the remark gives up all conclusions derivable from the accuracy of the date. If the date—26 May—were accurate, the inference would be that the Earl had heard the news from abroad through private sources. If Beale's date, "27, 28 June, *ut patet per literas*" (the time at which the Archbishop was spreading the news), is relevant, the Earl would only have heard of it later still.

By straining his memory the knight did yet another injury to the Earl, though, of course, not a deliberate one. Yet another of the same class was committed in the not unfrequent omission of favourable words and clauses. In § 9, for instance, the words used in i, § 12, are omitted, which show that the Earl believed that Elizabeth and Cecil would never permit the threatened massacre, if they were warned in time, a strong proof of the Earl's loyalty to them. Unfortunately we are unable to say how far the systematic pruning off of favourable words has gone, because, even in the earlier records, the same bias was at work, and many of the intermediate forms have perished.

This paper is countersigned by the Crown lawyers. The case is going into their hands.

26 February, 1588.

Examination of Sir Thomas Gerrarde, knight, taken the 26th of February 1588, before the right honorable Sir Thomas Heneage, knight, vicechamberlayne to her Majestie, and her Majesties attorney and solicitor generall.

1] *Beinge asked whether he hearde the Erle of Arundell mislyke of the treatie of peace betweene the Queenes Majestie & the Kinge of Spaine, or that he feared or doubted that a peace should be concluded betwene them, and when did he use suche speaches and how often.*

To this article Sir Thomas Gerrarde saiethe that the Erle of Arundell did tell unto Bennet and to this examinate when her Majesties Ambassadors were in the lowe Countreyes to treate a peace, sometimes that the peace was concluded without mentionninge of religion, wherat he was verye sorrowfull and pensiue, and some times he would saye, they cannot agree of peace, wherat he was very ioyfull geving them greate charge to keepe silence then. [*Examination*, i § 2.]

2] *Beinge asked if he hathe hearde the Erle saye, that or ere Midsommer last past he hoped to see the Catholyke faithe restored in Englande.*

He doethe aunswer that he hathe hearde the Erle use those wordes, and the time when he spake the same wordes was about Whitsontide last. These wordes of the Erles this Examinate doethe affirme verye precisely and sayethe further that the Erle used the same wordes or the lyke in effecte diuers other tymes. [*Joint Confession*, ii, 4.]

3] *Beinge asked if the Erle told him that there was a newe Bull of excommunicacion against her Majestie.*

To this this Examinate saiethe that the said Erle told to this Examinate firste a parte that there was a newe Bull of Excommunication graunted from this pope against her Majestie, and willed this Examinate to call Bennet unto him. And then he used againe the same wordes to them bothe shewinge him selfe to be verye ioyfull at it, and these wordes were used about Whitsontide.* [*Joint Confession*, ii, 4.] Thomas Gerrarde.†

4] *Beinge asked when the Erle had first intelligence of the Spanishe fleete and at what time he tolde this Examinate therof.*

To this he aunswerethe that he doethe not knowe when the Erle had first intelligence therof, but did tell this Examinat betwene Easter and Whitsontide that there was expectacion of the comminge of the Spanishe fleete, and that they should haue good newes ere it were longe and theruppon bade them be merye.

[5. *The Earl's bearing before the Armada.*] ‡

To the fifth question he sayethe, that within two day's after that the Spanishe fleete was discouered at Plimouthe the Erle cam

* Whitsuntide, 1588, was 26 May. *See above*, p. 206.

† This signature comes at the foot of f. 99b. Perhaps the original was signed on each folio.

‡ From henceforward the questions are omitted in the MS. The answer is taken from Gerard, Confession i, §§ 1 and 9. *Joint Confessions* i, § 4, and that quoted by Waad, § 9. Bennet, § 1.

to the gallerie dore adioyning to the place where we harde masse and coughed which was the watche worde betwene him and the Erle, and when this Examinate came the Erle tolde him verie ioyfullie that there was good newes : for the Spanishe fleete was discouered lyke a huge forrest, and bad him hastelie call for Bennet the priest, which he did accordinglie, and when the priest came he tolde the same againe to them bothe. And he is suer this was before the ringinge of the bells for the takinge of Don Pedro at the least two daies. And he further saiethe that before it was knowen that the Spanishe fleete was losed from the coast of Spaine. The Erle, when he cam to masse did for the most parte tell this Examinate and the priest of their purpose of the bendinge of their forces hitherwardes, and that we should haue busie plaie, or ever it were longe ; which was his usuall speache. And after the said fleete was discouered as aforesaid, the Erle did saie that our fleete was farre to weake for them and not able to deale with them : and that the Queene and the Counsell were greatlie afrayde of them, usinge therin very unrequerent and unsemelie words, and said further now they shall knowe that we haue friends, and they that haue plaged us must look for the lyke, when we haue the Catholyke faithe againe in England ; and said often times now is the time at hande of our deliuerie, therfore be merrye, wherat he would clapp the priest on the backe and saye to him that he the said Erle would make Bennet a deane and he should weare a damaske gowne and that he hoped to see him saye masse openlie in Paules, willinge him to saye masse oftener then before, and to saye prayers more earnestlie then before, and said further he would haue three masses a daie said in the Tower for the good successe of the Spanishe fleete, and that he hoped to see the Catholyke faythe flourish againe. He sayethe further that the said Erle did often tymes wishe and praie for the good successe of the Spanishe fleete.

And that by all the speaches, actions and gestures of the said Erle it did manifestlie appeare, that all his hope, affiance and trust was reposed uppon the cumminge and good successe of the Spanishe forces. That the Spanishe fleete and the Duke of Parmas forces should ioyne together for the enterprise. And at the uttringe of those speaches, this Examinate saiethe the Erle shewed him self bothe in gesture and speaches very ioyfull and glad, as a thinge wheruppon he depended for his libertie, not only wishinge them in often speaches good successe, but also commandinge and setting downe the saying of masse and other prayers for the prosperous and good speede of the said navye and enterprise.

[6. *Masses for the Spanish Fleet.*]

To this interrogation* he aunswerethe that he harde the Erle move the priest to saie a masse of the Holie Ghost for the good successe of the Spanishe fleete. And Bennet the priest aunswered, there is another proper masse for that purpose called *ad tollendum schisma* And this motion was made by the Erle in the lytle Closet when the Erle did helpe the prieste to vest him : and after that the Erle had tolde

* This interrogation which is not quoted was evidently the same as Article 4, and the answer is taken, sometimes *verbatim* from Bennet's *Confession*, § 2.

them of the discoverye of the Spanishe fleete. And further this Examinate sayethe at that time, the priest, after the said motion made by the Erle, tolde this Examinate that he was appointed to saie three severall masses that weeke for that purpose, and this Examinate saiethe that at the [f. 107] first of these masses the Erle him selfe was present and did helpe the priest to saie the same.

[7. *The twenty-four hours prayer.*]

To the 7th* he saiethe that shortlie after the said motion made by the Erle for the masse of the holie ghost, the Erle came to the gallerie dore and openninge the same deliuered him a note, which note as he thinketh was of his owne hande, wherin was conteyned a request made by him to this effecte, that there might be within the Tower praier made for the advaunncement of the Catholyke enterprise all the xxiiii howers of the daie and night to be undertaken and obserued by those whose names ensue. First the fiue priestes, Harrison, Ithell, Bennet, Leghe, and Gerrarde, should praie everye one of them two howers, and the other fowerten howers to be equallie diuided uppon him selfe and thirteen other persons, that is to saye Nevell, Mr Shelley, Mr Abington, Tuchenor, Bacon [? Barton], Digby [Dixon], Sikes [Stoughton], Stanley [Stoker], Pain, Arden, Tipping, Davys, and this Examinate. And he rememberethe well that this note was deliuered him after the first encounter of the two navyes and before the second encounter. For the Erle wished it to be copied spedelie, to thintent that the said prayer might ioyne with the time or to be before the seconde encounter with our navye, for that the first was allreadie knowen unto him. And therfore he hastened it the more because it concerned the Catholyke cause and was for their good successe, as the said Erle then told this Examinate. Further this Examinate saiethe that in the said note, it was conteyned that the fiue priestes with their fervencye might and should supply the slacknes and want of deuotion in the layemen. But on the next daye the Erle calling to this Examinate for the same note said that Mr Shelley had dissuaded him from it, and so that course brake of.

[8. *Cardinal Allen to direct the crown.*]

This Examinate saiethe to the eight† that the Erle tolde Bennet the prieste and to this Examinate about the time of the Spanishe fleete being in this coast, that Cardinall Allen should directe the Crowne of England, according to his conscience, wheruppon this Examinate aunswered, "My Lord, that is a purple worde," and the Erle said agayne, "why not after her deathe."

[9. *The threatened massacre.*]

To the 9th‡ he saiethe, the first time when he hearde of a massacre was when the Campe was at Tilberye and somwhat before the breaking upp of the Campe, specially when the Erle of Leycester landed at Towerhill at the breaking upp of the Campe, and the first tyme he hearde anie speache of anie massacre was three weekes after

* The answer is taken from Gerard (Examination, i, § 10).

† The answer is from *Joint Confession*, ii, 5.

‡ The ninth question will have been based on Article 5, and the answer on Gerard's *Examination*, i, § 12. The camp at Tilbury began to break up 17 August.

the motion made by the Erle for the masse to be said to the Holie Ghost and the prayers aforsaid.

[10. *After the Armada.*]

To the xth he saiethe* that when the Erle harde of the ouerthrowe of the Spanishe fleete he was very sorrowfull and strucken with greate griefe, and brake out into these passionate speaches. "Now we are undon. There is no hope for us this yere. The kinge of Spaine cannot furnishe such another fleete these five or six yeres, and by that time some of us maye be deade and rotten."

[11. *The Conspiracy of silence.*]

To the xi^th^ † this Examinate saiethe that the Erle did sende a message to Bennet by this Examinate, that he should not discouer the saying of masse but in Coleherberte, lettinge him knowe that if he did otherwise, the said Erle would denie it to his face and what a shame it would be for him to bewraye his parishioners: and further willed this Examinate to tell Bennet that he could not be condemned by lawe unles he did confesse it him self, or that it were proued against him by two or three witnesses, saying withall to this Examinate, and if you Sir Thomas Gerrarde doe confesse or bewraye anie of these thinges, I will tell you, you lye to your face. And further this Examinate saiethe that heruppon he went to Bennet and did deliuer him the said message at a wainscot dore at the lodging of the said Bennet.

[12. *Hammonds silence.*]

To this‡ he saiethe, the Erle said to Bennet and to this Examinate, that Hamon had ben examined & remayned the perfectest man in the world and was very constant and stoode to it lyke a lyon, and that they could get nothing from him. By which speaches this Examinate doethe gather that the Erle used these speaches to incourage them not to confesse anie thinge and theruppon the Erle desired Bennet and this Examinate that we should not reveale any thinge that had passed amongst us, which I then promysed bothe by worde and ioyning of handes. But Bennet refused to doe the lyke. Neuertheles the Erle said though Bennet confesse the hearinge of masse and of confessions yet he will not utter anie thinge declared in the said confessions.

THOMAS HENEAGE. THO: GERRARD.
JO: POPHAM.
THO: EGERTON.

CHRONOLOGY—27. THE EARL'S STATEMENTS ABOUT HIS INTENTIONS IN PRAYER.

After reading Waad's carefully (though not completely) doctored papers on the Earl's intentions in prayer, one naturally turns to look for statements made by the person himself, whose intentions are under discussion. For intention is a hidden thing, and where a man's act may have been elicited by various objects in view, it is almost impossible to reach a certain conclusion

* This is probably based on the lost *Joint Confession* cited in Waad's *Discourse*, § 9.

† This answer is derived from Gerard *Examination*, § 5, Bennet. § 3, *Joint Examination* iii, § 2.

‡ This twelfth answer is from Bennet, § 3, and *Joint Examination* iii, § 2.

about his intention, unless we have fairly full statements at first hand from himself. We have unfortunately lost the Earl's fuller explanations, but still many weighty words remain.

i. October, 1588, and February, 1589.—We must remember that the Earl first heard the above stories during his examinations, when he denied them (*Above*, p. 192), and offered to serve with life and goods against any Prince, the Pope not excluded. The charges were brought out again with extraordinary bitterness in counts 8 and 9 of the indictment, and finally urged with utmost violence by Egerton, the Solicitor-General. But the Earl probably never had a chance of studying the papers in detail, and this probably accounts for his answers being in broad negatives or in general terms. He had, however, Bennet's Retractation, which he produced in Court.

ii. 14 April, 1589.—Throughout his trial he most constantly and repeatedly denied the allegations made against him. He would never ask pardon, or admit that he had committed any real offence against the Queen. (See pp. 262, 296, 298, 302.)

On the subject of the prayers in the Tower, the Earl during his trial endeavoured to show that the witnesses Gerard and Bennet were untrustworthy. He proved that they were changeable men, that Bennet had since retracted, that Gerard was legally presumed to be a suspicious witness, because he was under the pressure of being indicted by the Crown. Considering his circumstances that was all a prisoner could do.

In general he affirmed "that he had never denied the Queen, or adhered himself to the Pope." He said he would rather eat off his fingers than do anything against Her Majesty; and in regard to serving under Parma, he said, "Would you have me serve against my conscience?" p. 280.

iii. Later.—He afterwards wrote a last speech, and also private letters to his wife and to Father Southwell (*below*, pp. 296, 298). These are much more satisfactory as evidence, much calmer, more detailed and explanatory than the hurried ejaculations made in Court. On the other hand they do not profess to treat of intentions in prayer, but of his innocence, of *odium fidei* in his adversaries, etc. Indirectly, however, we learn some useful hints about the prayers.

iv. 1586 to 1588.—It is evident from other sources that we might have expected him to be praying for the Catholic cause at the time he is stated to have done so. Threats of a massacre of Catholics had been common for some time, and were especially frequent at that crisis, and they were most all feared if the Spaniards should land. Babington had mentioned them in 1586 (*Confession*, 1, § 3), and added that "sundry books had been imprinted —that all Catholiques were traitors and that it was not possible for a Papist to be a good subiect." G.D., *Dr. Allen's seditious drifts*, London, 1588, (Brit. Museum, 3938, e, 10), says at page 81, "If they [the Papists] offer but to stir, if we get the upper hand, they loose all they have, both goods, landes, and lives too, like traitors, as they well deserve." At p. 93, he says that Allen's pamphlet (*Defence of Stanley*) "might occasion her Majestie to cut off and root out the Catholics." Burghley himself renewed the threats in the previous June (*above*, p. 169), and in point of fact immediately after the Armada occurred the massacre of thirty priests, even though all danger was then over, and the Government were boasting in the *Letter to Mendoza* of the fidelity of the Catholics during the crisis (*above*, p. 169). The preparations for this massacre dated back to early in July (*C.R.S.*, v, 150). How deeply the Earl felt the general danger is shown by Gerard's examination (*above*, p. 190). *See* also pp. 191, 192, 209 and some fuller quotations p. 339.

All Catholic biographers, beginning with Father Garnet's letter of 1 September, 1589 (*below*, p. 300), believed that the Earl's prayers for the Catholic

cause were intended in whole or in part to obtain from God protection against this threatened danger.

v. As regards the 24 hours' prayer for the Catholic cause, which he abandoned as soon as it was pointed out to him that his intention was liable to misconception, there is really no reason whatever for affirming that his intention *must have been* for the victory of an enemy. Irreproachable explanations will suggest themselves in plenty to any thinking person.

Many Catholics think now, and many, we may be sure, thought or feared then, that the Armada was certain to do far more harm to the Catholic cause than it could possibly do good. In any case the risks were most grave. English national feeling appealed to them most strongly, and the restoration of Catholicity by force, in the teeth of national feeling, must have loomed before them as a calamity. Even apart from the threat of massacre, there was sure to be a great increase of bitterness. Moreover, in the very probable case of a Spanish defeat, a permanent and increased hatred and contempt for their vanquished co-religionists would inevitable follow. Certainly, the need of prayers "for the Catholic cause" was urgent. If the charge of having prayed for that purpose had stood alone no action could have been taken upon it.

vi. As regards the alleged request for a mass of the Holy Ghost to obtain "the good Success of the Spanish Fleet," it seems that Bennet was eventually of a mind that he had heard these words, but the words did not originate with him, so far as our evidence goes.

But we *first* meet with the phrase on the malicious and deceitful tongue of Waad. He had terrified Bennet with many cruel threats into "promising to satisfy his expectations" (p. 198). Then he urged the weak and confused old man to confess that the 24-*hours' prayer* was "for the good success of the *Spanish Fleet*." It is certain that this at least was false. Bennet indeed had just strength enough to resist consenting to this, but only by yielding to say that the Earl had asked for *a mass* to be said for that intention. For this he afterwards asked pardon, though without formally unsaying the words suggested by Waad. Can this be considered a satisfactory introduction to the evidence? Without further and better testimony it cannot be considered as established. Yet the only confirmation we have is the servile repetition of Bennet's words by Gerard, after long refusal so to do.

The Earl always and firmly denied the words, both in examinations in Court and in his private and confidential intercourse with wife and confessor. He also added the assurance that, being still a new convert, he had not as yet heard of a votive mass of the Holy Ghost (*below*, p. 298). Certainly the combination of a Mass of the Holy Ghost, with prayer for victory of any sort, will ring oddly on any Catholic ear. It savours of misunderstanding. The Mass *ad tollendum schisma* by itself, which Bennet eventually said with the Earl's full approval and assistance, is not liable to misconception.

vii. That the prisoners often misunderstood one another at this time is also evident. Bennet was so nervous, so senile, that he had to be treated like a child. The Earl was unusually, perhaps incomprehensibly, excited during that dread crisis. Cruel fortune seemed at one moment to offer liberty, at another slavery. His companions noticed that he was now full of joy, then oppressed with sadness. He asks for one prayer, but is quite contented with another. Though he was sure he had not used the words attributed to him, he acknowledged to Southwell that he did not actually recollect the words he did use on the critical occasions (*below*, p. 298). He also told the Padre that he "had wished well to the Spaniards in his speeches" (*ibid.*). It is not impossible that some of his pious thoughts were far-fetched, overwrought, liable to displease his fellows. He vexed Bennet by burning papers

at Mass; and he was wrong in so doing. But the evidence is insufficient to show how far this went, just as it is insufficient to settle how far he went on the other side. We know that he was ready to fight on Elizabeth's side, though evidence is wanting to determine the degree of his readiness. For anything that these papers *demonstrate*, he may have been ready to fight against the Armada, though Waad would never have allowed that to appear.

To return to the possibility of misunderstandings between the prisoners. What may have increased that possibility was the far greater information possessed by the Earl. The others, after the death of Mary Stuart, would have been more prone to accept the common impression, that the legitimist claimant having passed away, nothing now remained but to accept the Tudor tyrant. But the Earl, being, despite the isolation in the Tower, a little better informed through news occasionally sent in by his wife regarding the attitude of the main Catholic body abroad, was possibly (though we have no actual information about this) slower in changing than they. Whatever ideas he learnt from abroad, increased the possibility of misconceptions arising while public opinion in England was changing after Mary's death. That misapprehensions arose cannot cause wonder.

viii. The principal crime of Bennet and Gerard lay, it seems, in giving information to the persecutors, which they knew would be used to further the persecution. They excused themselves, as underlings in Tudor times were wont to do, by saying that they *must* tell everything to the tyrant. When they gave in details about Masses, about alms to priests, conscious that they would thereby help on persecution, they were doing a great wrong. When they gave in what they recollected about the Earl's prayers for Catholic interests, we (postponing for the moment the question of veracity) can see that they knew Government would use their words to make out their victim an enemy to his country. We see their bad faith especially in the *Joint Confessions*. While they excused themselves with the coward's plea that blind obedience was a necessity, they were in reality procuring a misunderstanding, nay, fomenting a grievous calumny. The persecutor has no more right to claim his subject's aid in his wicked work than the professed murderer may claim his revolver and ammunition for a deed of blood.

LVIII.

PREPARATIONS FOR THE TRIAL.

i. Lord Burghley to Sir Francis Walsingham.

From the Court, 9 March, 1589.

B.M., *Harleian MSS.*, 787, f. 50. Transcript, sec. xvi.

The papers we have hitherto seen about Lord Burghley, might have encouraged the hope, that he was not bitter in so far as concerned Philip Howard. But this quiet note enables us to see his native bigotry more plainly. He has no material aid which he can give to the prosecution of the man, who so often appealed to him as "father"; yet he is not without suggestions for doing an evil turn.

He has a vague recollection of some scoundrelly spy. We may not be able to name the fellow; but there is much here that corresponds with Berden, and in particular with his letter of 15 May, 1586 (*above* p. 86), which letter was already marked as important. If the cap does not fit Berden quite perfectly the deficiencies are probably due to Burghley's memories being three years old. In any case the man was only "an advertiser," without inner knowledge or authentic information. Berden, as we have seen, only knew what was public property, that the Duke of Guise (as well as every Catholic gentleman in Europe, and Protestants too in plenty) was as keen as could be for the liberation of Queen Mary and her friends. But candour on

this subject would not have forwarded the sectarian objects which Burghley had at heart, whereas Berden's picturesque story about conquering the Protestant realm was well calculated to arouse prejudice. In reality this warning was not needed, for Popham had used the story against the Earl at the Star Chamber (*above* p. 143).

TRES : BURGHLEY TO MR SECRET. WALSINGHAM.

Sir. I was sorry to heare of yor last night's distemperature, wch I have good hope is well passed over before this tyme, & that you are in better ease then you were. About 2 or 3 years since as I remember or somewhat more, Advertisem^t^ were written hither, y^t^ at ye Duke of Guise his being about y^t^ tyme at Rheims in ye Colledge of ye English Seminary there, upon an Oracion made unto him by one of y^t^ Colledge ye Duke's answer to ye same was, That it was to be hoped y^t^ before it were longe some releife should be given unto y^em^, wch was ye tyme as I remember y^t^ the Earle of Arundell attempted to have departed ye Realme, & was taken upon ye Seas. If those L^rs^ wch remaine amongst yor Papers might be had, they might happily serve to some purpose at this tyme, & therefore I pray you to cause yor man to search for y^em^, & if they maye be found to send y^em^ unto me. Soe fare you well. ffrom ye Court this 9th of March 1588.

Your very lovinge ffreind

W. BURGHLEY.

ii. ATTORNEY GENERAL POPHAM TO SECRETARY WALSINGHAM.

London, 9 April, 1589.

R.O., *Domestic Elizabeth*, ccxxiii, n. 77. Original. Six months have passed since we last heard of the "Bull," *vere* Declaration; the Armada has come and gone; and the government is straining every nerve to overwhelm the Earl of Arundel, whilst the queen is urgent for despatch. She has personally ordered the erection of "Scaffoldes," that is of "scaffolding" in Westminster Hall, which will be described in the report of the trial. The *Declaration*, called by Burghley a "Bull," and also *the Admonition* have been given to Popham, the Attorney General, to use in preparing for the trial (the Special Commission was dated 14 March), and in drawing up the indictment of 7 April. Popham sees it is excellent material for a prosecutor. He has made a copy for use on Monday next in court, when the Queen has already ordered the erection of the scaffolding of bar, dais, etc. Can he have been unaware that it was no bull? Anyhow he wants evidence in its support. Can Walsingham prove that "this pope set forth such a one?" Popham thinks that a letter from Walsingham, saying "that it was sent unto your honour by such a means as you have cause to give credit unto it" will be sufficient for the public. To judge from our reports of the trial, no question whatever was asked, no objection raised. The Government's fraud passed unchallenged, probably because unsuspected.

I haue receaued ffrom my L. Treasurer the Copy of the most wycked Bull sett forthe by thys last pope Sixtus Quintus agaynst her maiestie, wch ys a matter most necessary in some parts to be vsed in evydens agaynst the earl, for many respectes. And therfore it wylbe necessary that some credyt may be geven vnto it, as that yt was sent vnto yor hono^r^ by suche a means as you have cause to geve credyt vnto it to be true, that ther was suche a one sett forth by thys pope. And though happely the case be suche as yor hono^r^ shall not thyncke fytt to haue

the partyes named that sent it dyscovered, yet yt wylbe requysyt by some meanes to haue some credyt to be geven vnto it to be of treuth, as by some subscription off yor hono^{r} that you receaved yt, in suche manner as you haue cause to thyncke to be trew or suche lyke.

And it may also pleas yow to assertayne me besydes in some letter at what tyme it was sent over vnto yor hono^{r} ffrom beyond the seas, for that may fall out to be necessary. I wold gladly have that in a letter by hytselffe to the end I may vse it as cause may happen.

We must haue care in the redyng of it that no more be made publyke then what ys fytt for the cause, for that ther ys suche matter in it, as ys not fytt almost to be loked on, muche lesse to be redd. Herof we wyll take care, and we haue alredy [? taken out] what ys fytt to be omytted in our own notes.

And to the end yor hono^{r} may do herin as you shall thynck best, I haue herin enclosed sent your hono^{r} the sayd copy, which it may pleas you to retorne with some spede, for as her maiestie sayeth, she ys resolued the matter shall procede on munday next, and she hathe alredy geven order to haue the skaffoldes made redy. And so wysshyng vnto yor hono^{r} a good recouery off yor healthe, I humbly take my leave. At my house the ixth of Aprill 1589.

Yo^{r} honors humble to comand

Jo Popham.

Addressed.—To the Ryght Honorable S^{r} ffrancys Walsingham, Knyght, princypall secretary to her maiestie and of her highnes [privie counsell].

Endorsed.—Popham Att. Gnll. 1589.

Chronology—28. Rumours.

24 February, 1589. "It is said that the Earl of Arundel, who has been imprisoned in the Tower for the last three years for Catholicism, is to be tried and condemned to lose his head; but up to the time of my departure nothing had been done in the matter, as I learned from some members of the Council." Statement of Marco Antonio Micea (or Messia), who left London on 24th February, 1589. *Spanish Calendar*, 1587–1603, pp. 513–514.

22 February/4 March, 1589. "The Earl of Arundel was being put upon his trial for having had an understanding with your Majesty's Armada, and for having written to the Cardinal of England. The Earl of Derby has been ordered to preside as Constable, with 12 barons to pass sentence, in accordance with the custom of England." Mendoza to the King of Spain from Paris. *Ibid.*, pp. 515–516.

6/16 April, 1589. "It is considered certain that the Earl of Arundel will be put upon his trial next week, and that he will lose his head, as they are all of one mind about it, except the Chancellor and the Treasurer. He (Arundel) is ill, they say, entirely of grief and worry, the principal accusation against him being that when the Armada was off the coast he begged a Catholic priest to say a mass to the Holy Trinity begging God to send victory to the Spaniards. The priest was arrested and confessed this. They also allege that Arundel joined the Holy League." Advices from England. *Ibid.*, pp. 530–531.

LIX.

THE INDICTMENT.

Westminster, 7 April, 1589.

R.O., *King's Bench, Baga de Secretis*, Pouch 49, membrane 14.

In the well-known series of pouches, called *Baga de Secretis*, preserved at the Record Office, Pouch 49 contains the official records of the Earl's trial, all in good condition, that is the commission for the trial under the great Seal, the Jury panels, the writs of *Habeas corpus, venire* and the rest. An analysis of them is printed in the *Fourth Report of the Deputy Keeper of Public Records*, 1843, pp. 279–281. But there is nothing here about the evidence, the witnesses, the actual progress of the debate, for these we must consult the *Reports*, which will be found below. The Baga, however, contains one most important piece of evidence and that is the original indictment read in court, with the original pleading—*ponit se super Pares*—"he puts himself on his Peers" entered over line 25, and on the back the verdict—*Billa vera.*

This indictment is the only part of the trial we have quite *integrally*, and nothing can illustrate more convincingly the earl's plaint that men were "beguiled by malicious and untrue reports to think otherwise of me, then both my words and deeds do plainly testify." (*Below*, p. 297.) Apart from an historical clause here and there, as that such a law was passed or such a proclamation made, the whole is false everywhere both as to fact and as to intention: And the errors are so gross, that they could only find belief through blind hatred of the Catholic Faith. The "innuendo" of l. 39 and again of l. 43 are shameless attempts to translate the earl's religion into treason; and the indictment manifests the truth of his declaration: "The Catholic Faith . . . is the only cause . . . for which I am now . . to be executed." (*Ibid.*)

The date, 7 April, is the day on which the Petty Jury found the indictment a true bill. The membranes, on which it is written, are of very large size, and the court-hand has many contractions, here expanded. This makes the lines very long, as will be seen. The first word of each count has been here printed in small capitals, and the English analysis published in the Deputy Keeper's Report has been prefixed: but the original wording must be studied in order to appreciate the plenitude of evil will which animated the prosecution.

The Deputy Keeper's report arranges under nine counts. But Y. 2. speaks of "indictments in nomber xxiiii."

Analysis.

1. William Alleyn, late of London, clerk, Professor of Theology; Nicholas Moreton, late of London, clerk, Professor of Theology; Robert Parsons, late of London, clerk; Edmund Campyon, late of London, clerk, and John Harte, late of London, clerk; and other false traitors, 31 March, 22 Elizabeth, at Rheims, in Champagne, beyond the seas, and at other days at Rome and Rheims, compassed and imagined to depose and kill the Queen, and to raise war and rebellion against her, and to subvert the Established Church and Government, and to bring in the Queen's alien enemies, to invade the kingdom, and levy war against the Queen, and held divers conferences and consultations, to carry their intentions into effect. Furthermore, that Alleyn, Moreton, Parsons, Campyon, and Harte, together with other traitors, 20 May, 22 Elizabeth, at Rome, and elsewhere, comforted and excited the before-mentioned strangers to invade the kingdom. Furthermore, that Alleyn, Moreton, Parsons, Campyon, and Harte, 20 May, 22 Elizabeth, at Rome, and 31 May, 22 Elizabeth, at Rheims, agreed that Parsons, Campyon, and Harte, should repair to this kingdom, to move and persuade the Queen's lieges to aid the strangers whom they should procure to invade the kingdom, for the purpose

of subverting the Established Church, etc. Furthermore, that Parsons, Campyon, and Harte, 1 June, 22 Elizabeth, by the aid and abetment of Alleyn and Moreton, took their journey from Rheims, towards England, in order to carry their treasonable intentions into effect, of all which treasons they were duly indicted at Westminster, Monday next after the morrow of All Souls, 23 Elizabeth, and afterwards attainted, as appears by the Records, Hilary, 25 Elizabeth [lines 1 to 17].

2. And further finding that the Queen, taking into consideration that all Jesuits, Seminary men, and Priests, called in English "Massing Priests," on arriving in England, were sent not only to prepare divers of the Queen's subjects, inclined to disobedience and disloyalty, to be prepared to abet foreigners and strangers, when they should invade the kingdom, but also to raise rebellion against the Queen, and to deprive her of her crown, dignity, and life; and desiring to warn all her subjects to beware of such treasons by her Proclamation, dated at Greenwich, 1 April in the 24th year of her reign, caused to be proclaimed, that all such Jesuits, Seminary men, and Priests, were traitors, and should be so held by all the Queen's loyal subjects, and that all, who after such publication should knowingly and willingly receive, comfort, aid, and maintain any Jesuit or Seminary Priest, should be treated and proceeded against as persons guilty of high treason. Afterwards, one William Weston, otherwise Edmunds, being a seditious and traitorous Jesuit, and Edward Brydges, otherwise Grateley, being a seditious and traitorous Seminary man and Priest, did 1 June, 26 Elizabeth, arrive in this kingdom of England, from parts beyond the seas, to reconcile divers of the Queen's subjects to the Church of Rome, and to persuade such, the Queen's subjects, to aid and conjoin themselves with the Queen's alien enemies, about to invade the kingdom; and Philip, Earl of Arundel, late of Arundel, in the county of Sussex, not being ignorant of the premises, but knowing the said William Weston and Edward Brydges to be such traitors, as before mentioned, did, after the before-mentioned proclamation, viz., 10 September, 26 Elizabeth, at the Charter House, in the county of Middlesex, and elsewhere treasonably receive and maintain them, and treated with them, concerning their before-mentioned treasonable intentions [lines 17 to 28].

3. Furthermore, that the Earl of Arundel, 30 September, 26 Elizabeth, at the Charter House, was treasonably reconciled to the Church of Rome [lines 28 to 30].

4. Furthermore, that the Earl of Arundel, 4 October, 26 Elizabeth, treasonably compassed to depose and slay the Queen, &c., and that he did afterwards, to wit, 20 November, 27 Elizabeth, at the Charter House, adhere to and confederate himself with Alleyn, attainted as before mentioned, and on the said 20 November, 27 Elizabeth, at the Charter House, admitted to Brydges who had communicated with him, the Earl of Arundel, on the part of Alleyn, concerning the said treasons, that he the Earl of Arundel, would be at the direction of Alleyn, and would do whatever he, Alleyn, should direct for the promotion of the Catholic cause (meaning thereby, the restoration of the Roman religion in England, and the following invasion) [lines 30 to 40].

5. And furthermore, in order to persuade and instigate Alleyn to act in the restitution of the Roman religion, etc., he, the Earl of Arundel, afterwards, to wit, 30 November, 27 Elizabeth, at the Charter House, traitorously wrote to Alleyn to do something for the furtherance of the Catholic cause, and by the same letters promised to him, Alleyn, that he, the Earl of Arundel, was ready to be employed in such way as Alleyn should think best in the Catholic cause (meaning thereby the restitution of the Roman religion, etc.) [lines 40 to 44].

6. Furthermore, that the Earl of Arundel, 14 April, 27 Elizabeth, being at

the Charter House, took his way secretly from the Charter House to parts beyond the seas, for the purpose of carrying into effect his treasonable intentions [lines 44 to 47].

7. Furthermore, that Alleyn treasonably insisted and continued soliciting the Bishop of Rome, and Philip King of Spain, to invade the kingdom, and levy war against the Queen, and to deprive her of her own crown, dignity and life, etc., whereupon afterwards, viz., 1 April, 30 Elizabeth, Sixtus V, then Bishop of Rome, promulgated his most scandalous, false and diabolical bull, containing amongst other, that he the said Sixtus V, having been solicited by the zealous instance of many of the highest personages of England and Ireland, had treated with divers princes, and in particular with the King of Spain, that he should employ all his force and power for the deposition of the Queen, and the punishment of her accomplices, and that the causes which induced him so to proceed against the Queen were, amongst others, her usurpation of the crown of England, contrary to the ancient treaty made between the Roman See and the kingdom of England, in the time of Henry II, and afterwards renewed and confirmed by King John, viz., that no one should be king or queen of England without the approbation of the Bishop of Rome, and for that the Queen did disgrace the ancient nobility by raising the most low and unworthy persons to dignities, civil and ecclesiastical, and that the before-mentioned causes were of such a nature that some of them rendered her unworthy to reign, and some of them unworthy to live, and that he therefore renewed the sentences of his predecessors, Pius V and Gregory XIII, concerning the excommunication, and the deposition of the Queen, and that he, the said Sixtus V, again excommunicated and deprived her of all authority and dignity, and of all title and pretence to the crowns of England and Ireland; and by the same bull the Pope absolved all the people of the kingdom from all oaths and allegiances and all other obligations of subjection to her, and he strictly commanded under pain, not only of excommunication, but of corporal punishment, no one should, after notice of the bull, render any obedience to the Queen; and further, that they should, with all their force and power, join the Catholic army, to be led by Alexander Farnese, Duke of Parma and Placentia, sent for the punishment of the Queen. And further, that any disputes that might arise concerning religion, the government or the succession to the Crown, should be decided according to "Christian equity." [Lines 47 to 57.]

8. That when the said Sixtus V and Philip, King of Spain, had collected and prepared a great force, as well of soldiers, as of ships, etc., fit for war and sent such force from parts beyond the seas, viz., 20 May, 30 Elizabeth, to execute the sentence so pronounced by such bull, he the Earl of Arundel not being ignorant of the premises, afterwards, viz., 21 July, 30 Elizabeth, at the Tower of London, as a false traitor, etc., compassed and imagined to deprive the Queen of her Crown and Dignity, etc., and moreover well knowing the publication of the said Bull, as well as the approach of the Spanish fleet, did afterwards, viz., 22 July, 30 Elizabeth, at the Tower of London, move and incite one William Bennett, clerk, to say Mass for the happy and prosperous success of the Spanish Fleet, which Mass Bennett celebrated accordingly, in the presence of the Earl, the said Earl aiding and abetting him. [Lines 57 to 68.]

9. Furthermore, that the Earl, knowing that a battle had taken place between the Queen's fleet and the Spanish fleet, did, 24 July, 30 Elizabeth, at the Tower, move and incite Thomas Gerrard, Knight, and other prisoners then in the Tower, to pray together without intermission for the space of 24 hours, for the success of the "Catholic enterprise"; and on the same day wrote with his own hand a form or order of prayer; and further, on the

said 24 July, affirmed that he would very much wish such prayers made for the good success of the Spanish fleet before the time, or during the time when the battle might take place between the Queen's fleet and the Spanish fleet, for the good of the Catholic cause. [Lines 68 to 74.]

Inquisitio capta apud Westmonasterium in comitatu Middlesex in magna aula placitorum ibidem, die lune septimo die Aprilis, Anno regni dne Elizabeth, &c, tricesimo primo, coram francisco knollys milite, [Here follow the names of the Commissioners printed below].

Midd.: SS.

Juratores presentant pro domina Regina quod Cum Willelmus Alleyn nuper de london clericus saere Theologie professor, Nicholaus Moreton nuper de london predicta Clericus, saere Theologie professor, Robertus Parsons nuper de london predicta clericus, Edmundus Campyon nuper de london predicta clericus, Joannes harte nuper de london predicta clericus simulcum [l. 2] aliis falsis proditoribus ut falsi proditores contra illustrissimam & christianissimam principem dominam nostram Elizabeth dei gratia Anglie, ffrancie & hibernie Reginam, fidei defensorem &c., supremam & naturalem Dominam suam, timorem dei in cordibus suis non habentes nec debitam legianciam suam ponderantes sed instigatione diabolica seducti, cordialem dilectionem, & veram & debitam [l. 3] obedienciam quam veri et fideles subditi dicte domine Regine erga ipsam dominam Reginam gererent, & de iure gerere tenentur penitus subtrahere delere & extinguere intendentes, ultimo die marcii Anno regni dicte domine nostre Elizabeth Regine nunc vicesimo secundo apud Rhemos in Champania in partibus transmarinis & diuersis aliis diebus & vicibus postea & antea tum apud Romam & [l. 4] Rhemos predictos quum in diversis aliis locis in partibus transmarinis, falso, malicíose & proditorie conspiraverunt, imaginati fuerunt, circuiuerunt & compassauerunt dictam dominam Reginam supremam & naturalem dominam suam non solum de regali statu, titulo, potestate, et regimine regni sui Anglie penitus depriuare, deijcere et exhereditare verumetiam eandem dominam Reginam ad mortem & [l. 5] finalem destructionem adducere & ponere ac sedicionem in dicto regno Anglie suscitare, leuare, & facere, Acetiam stragem miserabilem inter subditos dicte domine Regine per totum regnum Anglie generare & causare, ac insurrectionem & rebellionem versus dictam dominam Reginam supremam ac Naturalem dominam suam procurare & suscitare, ac gubernacionem eiusdem regni Anglie & sinceram [l. 6] dei religionem in eodem regno Anglie recte & pie stabilitam pro voluntate & libito suis mutare & alterare necnon statum totius Reipublice huius regni Anglie per universas eius partes bene institutum & ordinatum totaliter subuertere & destruere, & diuersos Extraneos & Alienigenas non existentes subditos dicte domine Regine sed inimicos eiusdem domine Regine ad hoc regnum Anglie hostiliter [l. 7] invadendum & guerram versus eandem dominam Reginam in eodem Regno Anglie leuandam suscipiendam & faciendam incitare procurare & inducere. Et ad illa nequissima & nephandissima prodiciones & proditorias imaginaciones, compassiones, intentiones & proposita perimplenda, ijdem Willelmus Alleyn, Nicholaus Moreton, Robertus Parsons, Edmundus Campyon & Iohannes harte [l. 8] simul cum aliis falsis proditoribus predictis dicto

ultimo die marcii Anno regni dicte domine nostre Elizabeth nunc Regine Anglie vicesimo secundo supradicto apud Rhemos predictos ac diuersis aliis diebus & vicibus antea & postea tam apud Romam & Rhemos predicta quam in diuersis aliis locis in partibus transmarinis inter seipsos falso et proditorie communicauerunt, tractaverunt et ad invicem colloquuium [l. 9] habuerunt, quibus viis & modis mortem & finalem destructionem dicte domine Regine nunc, supreme & naturalis domine sue adducere potuerunt, ac sedicionem in dicto regno Anglie suscitare, leuare, & facere potuissent. Et quod ea intentione & proposito predicti Willelmus Alleyn, Nicholaus Moreton, Robertus Parsons, Edmundus Campyon & Johannes harte simulcum aliis proditoribus predictis [l. 10] postea, scilicet vicesimo die maii Anno regni dicte domine Elizabeth nunc Regine Anglie vicesimo secundo supradicto ac diuersis aliis diebus postea & antea tam apud Romam predictam quam in diuersis aliis locis in partibus transmarinis tam per eorum persuasiones quam per eorum literas movebant, excitabant & confortabant diuersos extraneos, non existentes subditos dicte [l. 11] Domine Regine sed inimicos domine regine hostiliter hoc regnum Anglie invadere & guerram acerrimam infra hoc regnum Anglie versus ipsam dominam Reginam leuare & facere. Et ulterius quod cum ijdem Willelmus Alleyn, Nicholaus Moreton, Robertus Parsons, Edmundus Campyon, & Johannes harte simulcum aliis falsis proditoribus predictis, predicto vicesimo die dicti [l. 12] mensis Maii Anno vicesimo secundo supradicto apud Romam predictam, & ultimo die eiusdem mensis Maii Anno vicesimo secundo supradicto apud Rhemos predictos & diversis aliis diebus & vicibus antea et postea tam apud Romam et Rhemos predicta quam in diuersis aliis locis in partibus transmarinis proditorie concordaverunt ut iidem Robertus Parsons, Edmundus [l. 13] Campyon & Johannes harte simulcum diuersis aliis falsis proditoribus festinanter ad hoc regnum Anglie iter facerent ad movendos & persuadendos tales subditos dicte domine Regine huius regni Anglie quales ipsi maxime obtinere potuerunt ad suum auxilium dandum huiusmodi extraneis & alienigenis quos ipsi infra hoc regnum Anglie proditorie adducerent & procurarent ad [l. 14] guerram & rebellionem in eodem regno Anglie erga ipsam Dominam Reginam supremam & naturalem dominam suam faciendam, movendam, & leuandam, ac sinceram dei religionem in eodem regno Anglie recte & pie stabilitam ad libitum suum proditorie mutare & alterare. Quodque cum Robertus Parsons, Edmundus Campyon & Johannes harte simulcum aliis falsis proditoribus [l. 15] postea, scilicet primo die Junii Anno regni dicte domine Regine nunc vicesimo secundo supradicto per proditoria procuracionem confortacionem & medium predictorum Willelmi Alleyn & Nicholai Moreton apud Rhemos predictos iter eorum proditorie susceperunt a Rhemis predictis versus hoc regnum Anglie ad proditorum proposita eorum supradicta proditorie perimplenda & perficienda. [l. 16.] De quibus omnibus & singulis prodicionibus rebellionibus & conspiracionibus predictis dicti Willelmus Alleyn, Nicholaus Moreton simul cum diuersis aliis falsis proditoribus per quandam Inquisitionem captam coram domina regina apud Westmonasterium die lune proxime post crastinum Animarum, Anno regni dicte domine

Regine nunc vicesimo tercio per sacramentum XII^cim^ proborum & legalium [l. 17] hominum de comitatu Middlesex predicto legittime iudicati fuerunt. Et superinde per debitum legis processum Vtlagati & Attincti existunt, prout per Recordum inde de Termino Sancti Hillarii Anno regni dicte domine Regine nunc vicesimo quinto in curia dicte domine Regine coram ipsa regina remanentem plenius liquet & apparet. CUMQUE dicta domina Regina videns [l. 18] & prospiciens quod omnes Jesuite, Seminarii homines, & Sacerdotes, Anglice vocati massinge preasts, missi seu venientes in hoc regnum Anglie vel alia sua dominia ex partibus transmarinis, venerunt & missi fuerunt [*MS. torn*] ad preparandum diuersos sue maiestatis subditos, inclinabiles ad disobedienciam & disalegianciam esse paratos ad dandum auxilium extraneis et Alienigenis [l. 19] dicte dne nre Regine inimicis hoc regnum Anglie et alia dominia sua hostiliter invasuris, et ad movendam rebellionem infra eadem, sed etiam ad depriuandam dictam dnam Reginam de Corona dignitate et vita sua, volensque quod subditi sui premonerentur cavere ab huiusmodi impiisimis falsissimis et periculosissimis proditoribus & seductoribus per [l. 20] proclamationem suam gerentem datum apud manerium suum de Grenewiche, primo die Aprilis Anno regni sui vicesimo quarto tam apud manerium suum de Grenewiche predictum, quam in Civitate london & multis aliis civitatibus & locis infra hoc regnum Anglie publice proclamatam, innotuit & significavit omnibus subditis suis predictam proditoriam intentionem [l. 21] & proposita dictorum Jesuitarum, Seminariorumque hominum & Sacerdotum Anglice dictorum, massinge preasts, quod quum [erasure] omnes Jesuite, Seminarii homines & Sacerdotes predicti venientes siue venturi in eadem sua dominia fuerint proditores & ab omnibus subditis suis pro respectibus ante dictis, tenerique estimari acceptarique deberent pro proditoribus sue maiestatis [l. 22] corone & regno. Et quod omnes qui post publicationem predicte proclamationis scienter & voluntarie receptarent, hospitarent, auxiliarent', confortarent releuarent, & mantenerent aliquem talem Jesuitam, Seminarii hominem, seu Sacerdotem (ut predicitur) tractarent & super eos procederent (ut supra) scienter & voluntarie, confortatores, [l. 23] releuatores & manutentores proditorie, committent altam prodicionem versus personam maiestatis sue. Cumque postea quidam Willelmus Weston, alias Edmunds, existens seditiosus & proditor Jesuita, & quidam Edwardus Bridges alias Grately existens seditiosus ac proditorius homo Seminarius ac Sacerdos, [l. 24] Anglice a massinge preaste, primo die Junii Anno regni dne Regine nunc vicesimo sexto A partibus transmarinis in hoc regnum Anglie ad proditorie reconciliandos subditos dicte dne Regine huius regni Anglie ecclesiae Romane, ac ad proditorie persuadendos dictos subditos dicte domine Regine ad proditorie auxiliandum & coniungendum [l. 25] se extraneis & alienigenis inimicis dicte dne Regine hoc regnum Anglie invasuris, & in eodem regno Anglie guerram publicam versus eandem dominam nostram Reginam suscepturis & facturis, Et mortem & finalem destructionem eiusdem domine nostre Regine causaturi & procuraturi proditorie venerunt: Philippus Comes [*interlined* po se sup pares] [l. 26] Arundell nuper de Arundell in Com Sussex, premis-

sorum non ignarus sed satis sciens, predictos Willelmum Weston alias Edmunds & Edwardum Bridges alias Grately . . . [erasure of three inches] huiusmodi sediciosos ac proditorios homines esse, & ad prodiciones & proditoria proposita & intenciones predictas perimplendas & perficiendas in hoc regnum [l. 27] Anglie proditorie venisse, eosdem Willelmum Weston alias Edmunds & Edwardum Brydges alias Grateley . . . [erasure of three inches] postea & diu post proclamacionem predicto modo et forma predicta factam & proclamatam, scilicet decimo die Septembris Anno regni dicte domine Regine nunc vicesimo sexto supradicto & diversis aliis diebus & [l. 28] vicibus antea & postea apud Charterhouse in predicto comitatu Middlesex & alibi in eodem comitatu Middlesex proditorie receptavit & manutenuit, & cum eis colloquium habuit & tractavit de eisdem prodicionibus & proditoriis propositis & intentionibus. Et quod idem Philippus Comes Arundell ultimo [last word on an erasure] die Septembris Anno regni [l. 29] dicte domine Regine nunc vicesimo sexto supradicto Apud Charterhouse predictam in predicto comitatu Middlesex proditorie reconciliatus fuit ecclesie Romane, & seipsum, adtunc et ibidem proditorie subiecit & submisit iurisdictioni et authoritati Episcopi Sedis Romane. Quodque superinde predictus Philippus Comes Arundell postea scilicet quarto [l. 30] die Octobris Anno regni dicte domine Regine nunc vicesimo sexto supradicto & diuersis aliis diebus & vicibus antea & postea apud Charterhouse predictam in dicto comitatu Midd. & alibi in eodem comitatu Middlesex ut falsus proditor contra illustrissimam et christianissimam principem dominam nostram Elizabeth dei gratia Anglie ffrancie & hibernie [l. 31] Reginam fidei defensorem &c. supremam & naturalem dominam suam, timorem dei in corde suo non habens nec debitam legianciam sue [*sic*] ponderans sed instigacione diabolica seductus, cordialem dilectionem & veram & debitam obedienciam, quam veri & fideles subditi dicte domine Regine erga ipsam dominam Reginam gerent [*sic*] & [l. 32] de iure gerere tenentur, penitus subtrahere, delere & extinguere intendens, falso, maliciose & proditorie conspirauit, imaginatus fuit, circuivit & compassauit dictam dominam Reginam supremam & naturalem dominam suam non solum de regali statu, titulo & regimine regni sui Anglie penitus deprivare, deijcere [l. 33] deponere & exhereditare, verum etiam eandem dominam Reginam ad mortem & finalem destructionem adducere & ponere ac sedicionem in dicto regno Anglie suscitare, leuare & facere, acetiam stragem miserabilem inter subditos dicte domine Regine per totum regnum Anglie generare & causare, ac insurrectionem & [l. 34] rebellionem versus dictam dominam Reginam, supremam & naturalem dominam suam procurare suscitare & inducere, ac guerram publicam & acerrimam infra hoc regnum suum Anglie contra ipsam dominam Reginam suscitare levare et facere, ac gubernacionem eiusdem regni & sinceram dei religionem in eodem regno Anglie, [l. 35] recte & pie stabilitam pro voluntate & libito suis mutare & alterare, necnon statum totius Reipublice per universas eius partes bene institutum & ordinatum totaliter subuertere & destruere. Et diversos Extraneos & Alienigenos inimicos eiusdem domine nostre Regine ad hoc regnum Anglie hostiliter invadendum & guerram acerrimam versus eandem

[l. 36] dominam Reginam in eodem regno leuandam, suscipiendam & faciendam incitare procurare & inducere. Et ad illa nequissima & nephandissima, proditoria imaginaciones, compassaciones, intenciones & proposita sua proditoria ulterius perimplenda & perficienda, idem Philippus, Comes Arundell postea scilicet vicesimo die Novembris Anno [l. 37] regni dicte domine Regine nunc vicesimo septimo supradicto apud Charterhouse predictam in predicto comitatu Middlesex proditorie adherebat & confederebat ad & cum prefato Willelmo Alleyn (de alta prodicione ut predicitur Attinctus). Et eodem vicesimo die Novembris Anno regni [l. 38] dicte domine Regine nunc vicesimo septimo supradicto apud Charterhouse predictam in predicto comitatu Middlesex proditorie ut falsus proditor dicte domine Regine asseruit & promisit predicto Edwardo Brydges alias Grately, qui cum prefato Philippo, Comite Arundell ex parte predicti Willelmi Alleyn de prodicionibus & proditoriis propositis & intentionibus predictis [l. 39] eodem vicesimo die Novembris Anno regni dicte domine Regine nunc vicesimo septimo supradicto apud Charterhouse predictam in predicto comitatu Middlesex proditorie communicabat & tractabat, quod ipse idem Philippus Comes Arundell foret & vellet esse ad directionem dicti Willelmi Alleyn, Ac quod ipse idem Philippus Comes Arundell faceret & [l. 40] perimplere vellet quodcunque ei designaretur aut appunctuaretur ad promovendam causam Catholicam (innuendo proditoriam restitutionem Romane Religionis in hoc regno Anglie & proditoriam invasionem in hoc regnum Anglie hostiliter per extraneos & Alienigenos inimicos dicte domine Regine fiendam & guerram publicam versus dictam dominam [l. 41] Reginam in eodem Regno Anglie suscipiendam & faciendam & mortem & finalem destructionem eiusdem domine Regine proditorie causandam & procurandam. Et ulterius ad magis persuadendum & instigandum eundem Willelmum Alleyn ad suscipiendum & peragendum aliquid pro proditoria restitutione Romane religionis in hoc regno Anglie, Ac pro proditoria invasione [l. 42] in hoc regnum Anglie per Extraneos & Alienigenos inimicos dicte domine Regine ut prefertur scilicet fienda, & pro morte & finale destructione eiusdem domine Regine proditorie procuranda & efficienda, Idem Philippus Comes Arundell postea scilicet ultimo die Nouembris Anno regni dicte domine Regine nunc vicesimo septimo supradicto apud Charterhouse [l. 43] predictam in predicto Comitatu Middlesex falso proditorie scripsit & misit literas suas proditorias prefato Willelmo Alleyn, & per easdem proditorie movebat & vrgebat predictum Willelmum Alleyn ad faciendum aliquid pro promocione (Anglice furtherance) predicte cause Catholice. Et ulterius per easdem literas proditorie & nequiter promittebat & spondebat eidem Willelmo [l. 44] Alleyn quod ipse idem Philippus Comes Arundell paratus foret impendi & occupari (Anglice to be imployed) qualitercunque idem Willelmus Alleyn putaret expedire & conveniens fore in eadem Catholica causa (innuendo proditoriam restitucionem Romane Religionis in hoc regno Anglie & proditoriam invasionem in hoc regnum Anglie hostiliter [l. 45] per Extraneos & Alienigenos inimicos dicte domine Regine fiendam & guerram publicam versus eandem dominam Reginam in eodem Regno Anglie suscipiendam & faciendam, & mortem & finalem destructionem

eiusdem domine Regine proditorie causandam & efficiendam). Et ulterius quod idem Philippus Comes Arundell postea scilicet decimo quarto die Aprilis Anno regni [l. 46] dicte domine Regine nunc vicesimo septimo supradicto apud Charterhouse predictam in predicto comitatu Middlesex proditorie, clam, secreto iter suum cepit a Charterhouse predicta versus partes exteras & transmarinas ad facilius & efficacius perficiendas & perimplendas prodiciones & proditoria proposita & intenciones sua predicta. Cumque superinde predictus Willelmus Alleyn nequiter [l. 47] diabolice & proditorie insistebat & continuabat solicitando Episcopum Romanum & Philippum Hispaniarum Regem ad hostiliter invadendum hoc regnum Anglie & guerram publicam versus dictam dominam Reginam in eodem regno Anglie suscipiendam & faciendam ac predictam illustrissimam & christianissimam principem dominam nostram Elizabeth Reginam non solum [l. 48] de regali statu titulo, potestate, preheminencia & regimine huius regni sui Anglie penitus depriuare, deponere, deijcere & exhereditare verumetiam eandem dominam Reginam ad mortem & finalem destruccionem adducere & ponere, ac sinceram dei religionem in eodem regno Anglie recte & pie stabilitam pro voluntate & libito suis [l. 49] mutare & alterare. supra quo postea scilicet primo die Aprilis Anno regni dicte domine Regine nunc tricesimo, Sixtus quintus tunc Episcopus Romanus nequiter & diabolice divulgavit, emisit & publicavit versus dictam christianissimam principem dominam Elizabeth nunc Reginam Anglie quandam scandalosissimam [l. 50] falsissimam & diabolicam Bullam siue instrumentum continens inter alia quod idem Sixtus quintus solicitatus existens per zelum & importunam instanciam plurium principalissimarum personarum regnorum Anglie & hibernie tractavit serio cum diuersis principibus & specialiter cum hispaniarum Rege ut impenderet (Anglice he shoulde [l. 51] imploye) totam vim & potenciam suas pro depositione dicte christianissime & serenissime domine nostre Elizabeth Regine & pro correctione complicum suorum. Et quod cause que ipsum movebant ad procedendum versus ipsam dictam dominam Reginam in illa forma fuerunt inter alia pro vsurpacione Corone Anglie contra antiquam [l. 52] concordiam factam inter Sedem Romanam & regnum Anglie tempore henrici secundi & postea per Johannem quondam Regem Anglie renovatam & confirmatam. videlicet quod nullus esse posset Rex vel Regina Regni illius absque approbacione Episcopi Romani. Ac pro eo quod eadem domina Regina dedecorauit (Anglice dyd disgrace) [l. 53] antiquam nobilitatem creando infimas & indignas personas ad omnes ecclesiasticas et civiles dignitates. Et quod quedam earumdem causarum fuerunt talis nature & qualitatis ut facerent eam inhabilem regnare & quedam earumdem declarant eam indignam vivere. Et quod ipse igitur renovans sentenciam predecessorum suorum Pij Quinti [l 54] & Gregorij decimi tercij concernentem excommunicacionem & deposicionem dicte domine Regine. Et ulterius idem Sixtus quintus de novo excommunicabat depriuabat eandem dominam Reginam de omni authoritate & regia dignitate & omni titulo & pretensi tituli Corone regnorum Anglie & hibernie. Et quod idem Sixtus quintus per eandem [l.55] Bullam absoluebat populum eorundem Regnorum & alias personas quascunque ab omni obediencia

iuramento & ab obligacione subiectionis dicte domine Regine siue alicui alio nomine eius. Et ulterius quod stricte mandabat sub pena excommunicacionis & corporalis punicionis per leges designatas quod nullus cuiuscunque condicionis siue status [l. 56] post noticiam Bulle predicte presumeret reddere eidem domine Regine obedienciam favorem aut auxilium, sed quod illi & eorum quisquis concurrerent omnibus modis possibilibus ad castigacionem eiusdem domine Regine. Et quod ulterius per eandem Bullam omnibus notificavit ut ipsi omni vi & potencia quam quisque procurare potuisset [l. 57] seipsos unirent & coniungerent Catholico exercitui conducto per Alexandrum Fernesium Ducem Parme & Placentie ad adiuvandum & concurrendum ad deposicionem & castigacionem dicte domine Regine et complicum suorum pro restitutione sancte Catholice fidei, significans illis qui in contrarium agerent vel recusarent [l. 58] facere prout ipse mandauit quod non evitarent condignam punicionem, promittens securitatem per eandem Bullam quod controversie que assurgere possunt per depriuacionem dicte domine Regine seu ratione alicuius alie cause per siue concernens successionem ad coronam huius regni Anglie siue inter ecclesiam & rempublicam [l. 59] eiusdem regni quecunque, deciderentur et determinarentur totaliter secundum iustitiam et Christianam equitatem. Cumque predicti Sixtus quintus Episcopus Romanus & Philippus hispaniarum Rex collegerunt & preparaverunt magnum exercitum, potenciam, vim, & multitudinem tum militum & hominum Armatorum quum Navium & omnium [l. 60] instrumentorum bellicorum & aliorum necessariorum ad bellum gerendum, eademque exercitum, vim & potenciam sua a partibus transmarinis vicesimo die maii Anno regni dicte domine Regine nunc tricesimo supradicto versus hoc regnum miserunt, in & cum ingenti Navium Classe ad exequendum sentenciam Bulle predicte & ad idem regnum Anglie [l. 61] hostiliter invadendum, ac guerram publicam & acerrimam versus dictam dominam Reginam in eodem regno Anglie leuandam suscipiendam & faciendam, ac predictam illustrissimam & christianissimam principem dominam nostram Elizabeth Reginam Anglie non solum de regali statu, titulo, potestate, preheminentia & regimine huius regni [l. 62] sui Anglie penitus depriuare deponere deijcere & exhereditare, verumetiam eandem dominam Reginam ad mortem & finalem destructionem adducere & ponere, ac sinceram dei religionem in eodem Regno Anglie recte & pie stabilitam pro voluntate & libito suis mutare & alterare, Necnon stragem miserabilem & destructionem omnium ligeorum [l. 63] subditorum dicte domine Regine huius regni Anglie exequi causare & facere. Quod predictus Philippus Comes Arundell premissorum non ignarus postea scilicet vicesimo primo die Julii Anno regni dicte domine Regine nunc tricesimo supradicto & diversis aliis diebus tum antea quum postea apud Turrim London in comitatu Middlesex predicto ut falsus [l. 64] proditor contra dictam dominam nostram Reginam Elizabeth, supre mam & naturalem dominam suam falso & proditorie imaginatus fuit dictam dominam Reginam non solum de regali statu, titulo, & regimine suis huius regni Anglie deijcere, & deponere, verumetiam eandem dominam nostram Reginam ad mortem & finalem destructionem [l. 65] adducere & ponere, ac sedicionem, insurrectionem & rebellionem erga

dominam Reginam per totum regnum Anglie procurare & suscitare, ac gubernacionem eiusdem regni Anglie ac sinceram dei religionem in eodem regno recte & pie stabilitam pro libito & voluntate suis mutare & alterare & diuersos Extraneos & [l. 66] Alienigenos inimicos eiusdem domine Regine ad hoc regnum Anglie hostiliter invadendum & guerram acerrimam in eodem regno versus dictam dominam Reginam suscipiendam & faciendam procurare & inducere. Et superinde satis sciens tum predictam Bullam per predictum Sixtum quintum sic ut prefertur diulgatam & publicatam fuisse, quum predictam [l. 67] classem Navium hispanicarum cum exercitu predicto in eisdem Navibus adtunc existente appropinquasse huic regno Anglie ad proposita predicta perimplenda & exequenda, postea videlicet vicesimo secundo die Julii Anno regni domine Regine nunc tricesimo supradicto & diuersis aliis diebus & vicibus antea & postea apud Turrim london [l. 68] predictam in comitatu Middlesex, proditorie movebat & incitabat quendam Willelmum Bennett clericum ad dicendam missam pro felici & prospero successu predicti classis Navium hispanicarum in proposita predicta exequenda contra dictam dominam Reginam & hoc regnum Anglie. Super quo predictus Willelmus Bennett predicto vicesimo secundo die Julii Anno regni dicte [l. 69] domine Regine nunc tricesimo supradicto apud Turrim london predictam in presentia dicti Philippi comitis Arundell dicebat & celebrabat missam pro felici & prospero successu predicte classis Navium hispanicarum versus dictam dominam nostram Reginam & hoc regnum Anglie. Et quod ipse idem Philippus Comes Arundell eodem vicesimo secundo die Julii [l. 70] Anno regni dicte domine Regine nunc tricesimo supradicto apud Turrim london predictam proditorie ministrabat, auxiliabatur & assistebat dicto Willelmo bennett ad dicendum & celebrandum missam predictam. Et ulterius quod predictus Philippus Comes Arundell ad melius obtinendas & efficiendas proditorias imaginaciones [l. 71] & proposita sua predicta sciens quod conflictus & prelium habita & facta fuere inter classem Navium dicte domine nostre Regine & predictam classem Navium hispanicarum, postea videlicet vicesimo quarto die mensis Julij Anno regni domine nostre Regine nunc tricesimo supradicto apud Turrim london predictam in dicto comitatu Middlesex ut [l. 72] falsus proditor dicte domine Regine, proditorie movebat & incitabat Thomam Gerrard militem & alios prisones dicte domine Regine adtunc in predicta Turri london existentes, ad habendas preces dicendas continuando per spacium viginti quatuor horarum insimul pro Attemptu catholico (Anglice the catholic enterprise) [l. 73] (innuendo predictum Attemptum predicte classis Navium hispanicarum & exercitus in eisdem Navibus existentis contra dictam dominam Reginam & hoc regnum Anglie.)* Et eodem vicesimo quarto die dicti mensis Julii Anno regni dicte domine Regine nunc tricesimo supradicto apud Turrim london predictam in dicto comitatu Middlesex [l. 74] proditorie designavit et in scripto manu sua propria posuit & scripsit ordinem & formam, quomodo & per quos preces predicte dicerentur & fierent. Et ulterius eodem vicesimo quarto Julij Anno regni dicte domine Regine nunc tricesimo supradicto apud

* Innuendo . . . to . . . existentis is written on an erasure followed by a blank.

Turrim london predictam in dicto comitatu [l. 75] Middlesex proditorie dicebat & affirmabat se maxime velle predictas preces fieri pro bono successu predicte classis Navium hispanicarum ante tempus vel eodem instante tempore in quo secundus conflictus & prelium fieret inter classem Navium dicte domine nostre Regine & predictam classem Navium hispanicarum [l.76] eo quod concernebat causam Catholicam. Contra ligeanciam [?] sue debitam ac contra pacem dicte domine Regine nunc coronam & dignitatem suas & in legum huius regni Anglie contemptum manifestum, necnon in pessimum & perniciosissimum exemplum omnium aliorum in tali casu delinquencium, ac contra formam diversorum statutorum in huiusmodi casu editorum & provisorum &c.

Endorsed, Billa vera.

The passage containing lines 48 to 59 professes to be taken from a bull, published, *nequiter et diabolice*, by Sixtus Quintus, Bishop of Rome, on April 1, 1588, and with affected accuracy an English translation of the Latin words is sometimes added. But upon investigation all this is clearly a fraud. No one else has ever seen, heard of, or vouched for this bull, and the alleged citations are palpably translated from Cardinal Allen's *Declaration*, for which *see* Chronology 25, etc. The date, 1 April, gives further food for thought. It was no doubt specially forged in order to impose yet further on the public. Allen's paper gives no date. Burghley in his suppressed proclamation had stated that the alleged bull was dated about April (p. 171). So this part of the deceit is traced to him. Who decided on "All Fools day" we do not know, but it is eminently characteristic of the administration of justice in Elizabethan days.

The following citations from Allen's paper are taken from vol. iii of Tierney's edition of Dodd's *History*; roman figures give the pages, arabic the lines. Compare with lines 48 to 50 above.

Sixtus the fifte . . . (xlv, 5) solicited by the zelous (6) and importunate instance of sundry the most principall persones of [the renowned cuntryes of England and Ireland] (7) hath dealt earnestly with divers Princes and specially with (8) the mighty and potent Kinge Catholike of Spaine (14) that he will employe these forces (15) to the deposition of this woman and correction of her complices.

(23) The causes which have moved him (24) to procede against her in this sorte are . . . (33) for vsurpinge the Croune . . . (34) contrary to the auncyent acorde made betwene the See (35) Apostolike and the realme of England . . . (36) in the time of Henry the Second (37) that none might be lawfull kinge or Quene thereof without the (38) approbation and consent of the supreme Bishopp: which afterward was (39) renewed by kinge John.

(xlvi, 21) Disgraceinge the auncient Nobility, erectinge base and vnworthy persons to all Civile and (23) Ecclesiastical Dignetyes . . . (27). These thinges beinge of such nature and qualety, that some of them make her vnable to reigne, others declare her vnworthy to (29) liue, His Holiness . . . (30) doth renewe the sentence of his predecessors Pius 5 and Gregorie the 13* tooching the excommunication and deposition of the said Elizabeth.

* The unpublished excommunication of 24 September, 1583, for which see Meyer, p. 286.

(xvlii, 26) The controversyes which may arise by the depriuation of this woman, or vpon other cause, eyther betwene particular partyes, or touching the successyon to the Croune, or betwene the Churche and Comon welthe or in other wise whatsoeuer, shalbe decyded and determined wholy according to iustice and Christian equity.

LX.

REPORTS OF THE EARL'S ARRAIGNMENT.

1. *Character of the trial.*—Though Philip Howard was still quite a young man, who had passed by far the greater part of his life under the tutelage or the wardship of Tudor teachers or jailors, his trial was a *cause célèbre.* The Earl had become a Catholic, and he was now the highest representative of the old church in England. The lawyers, whom the Tudors knew so well how to use, were now under Elizabeth's own eye to do their best to annihilate him in the face of the world. He had committed no offence whatever against the Queen or against the realm. The laws against liberty of conscience he had indeed transgressed, but the Government would not attain its object if it rested solely or too patently on that point. They must create the impression that the innocent man, sealed up in his cell, is really the active, ubiquitous, unscrupulous plotter: hand and glove with assassins, the potent ally of hostile invaders, moving the Pope to action by his letters, ambitioning the crown of England. This can only be done by great liberty of invective, by throwing mud immeasurable, by dragging in every charge which the anti-Catholic fanatics had accepted. We must be prepared for, and we find, endless accusations, innumerable innuendoes, numberless false issues, irrelevant and elusive evidence, few witnesses alleging no valid evidence. The accused, neither warned nor prepared, is allowed no adequate opportunity for defence. The verdict, as always in these trials for treason, is unanimous for the Crown.

It is the editors' task to show how order has been confused, to explain the reasons, the motives, the forms of law, in this babel of fraud, malice, tyranny. That task is, of course, beyond human powers to discharge adequately. Nevertheless, with time and patience, a beginning may be made.

2. *The Preliminaries.*—When, at the end of February, 1589, the Tower investigations had at length reached the stage at which a confession of two witnesses against the Earl could be handed to the Crown lawyers, events moved swiftly. As has been seen, the *Baga de Secretis* contains the formal legal documents, which record the stages of the case, and an English summary is reprinted above from the *Fourth Report of the Deputy Keeper.* On 14 March Sir Francis Knollys, Treasurer of the Household, and the Justices of the Peace for the county of Middlesex, or any four of them, were appointed as a special commission of Oyer and Terminer for the trial. And on the same day a writ of *Venire* was addressed to the Sheriff of Middlesex for the return of the Grand Jury of whom a panel was annexed. On 31 March Knollys and five other of the commissioners signed and sealed the Precept to the Sheriff, returnable at Westminster in the Great Hall of Pleas there on Monday, 7 April. On this date accordingly "the indictment was found," *i.e.*, the written accusation against the Earl was presented to the Grand Jury of freeholders, and they, satisfying themselves that a *prima facie* case was made out against the accused, endorsed upon the indictment "*Billa Vera*" (*Above*, p. 231). This endorsement formed the "verdict" of the Great Assize.

The case was next day removed by a writ of *Certiorari* addressed to the Justices for the return of the indictment before the Court of the Lord High Steward. On the same 8 April a commission under the Sign Manual, with

the Great Seal appended, appointed Henry, Earl of Derby, Lord High Steward, for the trial. Writs and precepts of the Lord High Steward, dated 8 and 12 April, commanded the return of the indictment, the presence of the Earl, and the summons of such and so many Peers for 14 April.

3. *The Scene, and the Setting.*—We have read (*Above*, p. 219) that the Queen, before 9 April, had been insisting with the lawyers that the trial must not be delayed beyond the next Monday, and that she had already ordered the necessary preparations by carpenters.

On Monday, 14 April, 1589, between eight and nine of the clock in the morning, the Earl of Derby entered Westminster Hall. The Court was formed at the extreme south portion of the Hall, to the east the Court of Queen's Bench, to the west the Court of Chancery. At the upper end of the hall, somewhat to the left-hand side, from the outward bar in the Queen's Bench, a court of thirty feet square had been erected. Here, under a cloth of estate, was a chair and cushions for the Lord High Steward. At the Steward's feet sat Wingfield, Gentleman Usher, and Norris, Sergeant of the Garter; in front of them, "in a square place cut out of the scaffold two yards from the Steward," sat Sandys, Clerk of the Crown. Then upon the staging was a table, twelve foot square, with a green cloth; at the sides of this sat noblemen and gentlemen, and "four Serjeants-at-Arms lay on the table." On the opposite side of the table to the Lord Steward and facing him sat the four prosecuting counsel. On the platform on either side of the cloth of State were two rows of benches—in green say—facing across the court. On the inner benches sat the commissioners, and on the outer benches the jury of Peers—to the right the Treasurer, three Earls, eight Lords and Barons; to the left the Marquis of Winchester, three Earls, seven Lords and Barons.

From the middle of this raised court there ran down the hall towards the door a railed-in gallery, 110 feet long, 15 feet broad, and 6 feet high—an immense structure, far exceeding the needs of this case. So we may assume that it was already in stock for State solemnities and festivities, often held in Westminster Hall. Up to this passage the Earl was to mount by seven steps, and proceed along it to the bar "over against the Lord Steward, where a square place was made for the prisoner and those who had charge of him to stand apart and at ease; and there stood "a Groom of the Chamber with bottles of drink, which the Earl oft did use."

There is no position mentioned for the reporters of the trial, though it was essential for them, in such a vast hall so thronged with people, to be placed advantageously for hearing. The writer of the Yelverton account twice admits that he failed to hear what was being said. The Earl himself did not catch the first remark of the Attorney-General, and had to ask for its repetition, though he stood immediately behind the Attorney's back.

4. *Reporting.*—There are a considerable number of accounts of the trial, and it is important to remember how these were made up. No official reporters in the modern sense were attached to the Court. But the trial of an Earl for high treason would be reported, because the scriveners would foresee a sale for copies of the narrative of proceedings of such public interest. In those days, before shorthand was invented, two or three reporters would take it in turn to write for a few minutes at a time in rotation. The notes thus made would be supplementary to one another: one set would be chosen as a base text, another might be cut up into slips, following the times when the other reporter wrote. These slips would then be pasted into the base text, and the result would be a text ready for multiplication and publication. B.M., *Additional MS.*, 21203, shows such a base text amplified by slips pasted in from a second reporter's manuscript.

If there were more than a single couple or group of scriveners working, their separate sets of notes, each put together into one narrative as above described, would produce independent texts; and as the note-taking was not a verbatim report, great variety ensued in the versions. It was no easy task for the writers, coming into Court without any special knowledge of the case, to follow the argument, or see the bearing of the proof, or keep up with the altercations with the prisoner to which counsel descended. And as it was the practice of the prosecution to allege a charge, and then proceed to bring evidence to another matter, and wind up by the announcement of a conclusion favourable to their contention, a redacteur in piecing together reporters' notes could not be guided to orderliness by logical sequence or coherence.

From this it will be seen that the construction of a *Report* was something very different from the writing of a literary piece. It might be very praiseworthy, considering its circumstances, but it could hardly be logical, clear, connected, intelligible, partly through the variety of reporters, partly because the original to be represented was a storm of anger, of improbation, of misrepresentation. We conclude, however, that there may have ensued from this process one or more *conflated* accounts, of some fullness, but tending to be mechanical, and lacking in coherence. There would also probably have been some reports by single hands, which might make up for want of bulk, by greater clearness and better perception of lines of argument and the progress of the case (*see below*, § 22).

Before describing the various reports which have been found, something must be said of the difficulty of collecting them at this time. During the war it has not only not been permissible to travel far in search for them, but many libraries and archives, both public and private, have been closed, manuscripts have been locked up in places secure against air risk, and librarians have been diverted to war work. Still, a sufficient number have been found to fix the text roughly, and beyond that it seems impossible to advance by the collation of fresh texts, owing to the confused and turgid scene to be depicted. The chief desideratum is some reporter on the Earl's side. There is nothing to help us in *The Life*, but Tierney, in his *History of Arundel*, refers to a manuscript account of the Trial then at Arundel House, which from the above causes has not yet been found, and this may eventually prove useful.

The result of inquiries has been the gathering of eight reports. Four of these represent one text with variants, that already printed in *State Trials*, which we therefore consider the *Textus Receptus*. Four are single copies of different texts, differing one from the other so greatly that they cannot be combined at all during the chief part of the trial, viz., the explanation of the evidence by the prosecuting counsel. These reports are therefore printed each integrally, while the *Textus Receptus* is printed with the *chief* variants of the four texts.

It would neither be profitable, nor indeed possible, to print *all* the variants, for the different copyists have all adopted a certain legal style of their own. One, for instance, will increase such a word as "often" into "sundry and divers times." Others call the Earl "the late Earl"; another calls him systematically (but not quite consistently) "My Lord." The Harleian texts transfer the names of all speakers to the margin, and curtails or modifies the text where the name previously occurred, &c.

The four copies of the *Textus Receptus* should be thus arranged in order of age. 1) Record Office, *Domestic Elizabeth*, vol. ccxxiii, No. 85—this will be summarily named "R.O. 1." 2) B.M., *Harleian*, 834, n. 5.: summarily described as "Harl." 3) B.M., *Lansdowne*, 256, fol. 166b to 176; will be

called "Lansd." 4) That printed in *State Trials*, the earliest text which I have found being 1730. It will be called S.T.

The four *independent texts* are :—(1) Yelverton M.S., xxxiii, 74, will be abbreviated into "Y. 1." (2) R.O., *Domestic Elizabeth*, ccxxiii, No. 86 abbreviated to "R.O. 2." (3) Yelverton M.S., xxxiii, p. 107 will be abbreviated to "Y. 2." (4) Oxford, University College, E, clii, now in the Bodleian ; abbreviated to "O."

For the study of these very confused sources the following outline of the proceedings will be of service :—

5. *Opening formalities.*—A sergeant-at-arms proclaimed an O Yes for silence : "The Lord High Steward straitly chargeth and commandeth in her Majesty's name all manner of persons to keep silence until her Majesty's High Commission be read upon pain and peril that shall fall thereon." The Clerk of the Crown read the commission to Lord Derby, and a white wand three yards long was handed to Mr. Wingfield. Sir Francis Knollys delivered the verdict of the Great Assize (see p. 249). The precept for the summons of the Peers of the Jury was returned, and they present answered their names. Then the Lieutenant of the Tower returned his precept and brought in the prisoner.

"The Earl came into the Hall, being in a wrought velvet gown, furred about with martins, laid about with gold lace and buttoned with gold buttons, a black satin doublet, a pair of velvet hose, and a long high black hat on his head ; a very tall man, looking somewhat swarth-coloured." A striking figure, this athletic man who had been foremost in the pageants and tourneys of Queen Elizabeth, and now appeared with the ashen hue of prison in his countenance. Before him the gentleman-porter of the Tower bore the axe ; on either side of him walked the Lieutenant and Constable of the Tower ; Mr. Harry Bronckard and others accompanied him. Arrived at the bar he "made two obeisances to the State, and to the nobles and others there present" ; "but the lords never moved their hats nor made any countenance." The Earl "viewed all the noblemen on both sides of the court, and not knowing the Lord Darcy asked who he was ; which being told him, It is well, quoth he."

The Clerk of the Crown addressed him, "Philip Howard, Earl of Arundel, late of Arundel in the county of Sussex, hold up thy hand." "He held up his hand very high saying, 'Here is as true a man's heart and hand as ever came into this hall' *or* 'as any in this hall.'" There had been hitherto no courtesy to the leading noble of the land on trial for his life, but a stately solemnity had been maintained ; now upon these ringing words of the Earl comes sharp an interjection of the Attorney General that reveals the animosity of the prosecution and foreshadows the preordained issue. "That shall appear anon." "What sayeth Mr. Attorney ?" quoth the Earl. And when the interruption was repeated, he answered with characteristic undismay "Well."

6. *The prosecuting Counsel and their charges.*—When the crown lawyers had to carry out the royal will that the Earl of Arundel should be tried and condemned, they had no straightforward charge of treason to bring against him, with writings, speeches, or deeds of his to allege and bring conviction in open court. It was known against him that he had become a Catholic, that he had written a letter to Cardinal Allen, that he had attempted to fly the realm, that in the Tower he had prayers and Masses said to beg God to make an end to schism, to bring liberty of conscience, and not massacre, to the Catholics in England as a consequence of the Spanish Armada. None of this made him a man dangerous to the State ; all of it together in court would not make his condemnation seem other than persecution. To create the impression required it was necessary to represent this nobleman as hand-in-glove with conspirators innumerable. His was a leading position in the realm ; then he should be cast as leader of all who would subvert the realm.

The indictment was drawn up accordingly, rehearsing the alleged "plot of Rome and Rheims," which had been sufficient to secure the condemnation of Campion. The royal proclamation against priests was cited, and with it the earl's association with Father Weston, and other missionaries—his reconciliation by them. The charge stated that he was counted on by Allen, Savage, Parry, Throckmorton, Babington, and all who would depose and slay the Queen—that he attempted to escape and join Parma and Guise in preparing invasion—that he continued to work treasons in the Tower—that it was he who obtained a fresh deposing Bull from Rome—that he centred all his hopes on the success of the Spanish fleet—that for this he got prayers and Masses said.

This mass of accusation the four prosecuting counsel partitioned among themselves as follows:—

i. Sergeant Puckering opened the case, taking the first great count in the indictment, that is "The plot of Rheims and Rome," and his object was to prove that Allen was "The Arch-traitor." He was the correspondent of Dr. Saunders for the war in Ireland of 1578 to 1583, he was the ally of the Duke of Guise, he was the hope of the fifty assassins [! !] provided by Payne in 1580, he was at the bottom of the treasons of Throckmorton in 1583. After this were read confessions and letters of Saunders, Elliot, Throckmorton, etc. The earl had corresponded with Allen, as head of the English Catholics, therefore he was guilty of treason.

ii. Sergeant Shuttleworth took the second count, i.e.: That the Earl had committed treason with priests, by being received into the church by them; for *this was to plight one's fidelity to the Pope and therefore to reject fidelity to the Queen.* The Earl protested that conversion and confession involved no such thing, but was an act of private devotion between the soul and God. He was shouted down, perhaps by Lord Hunsdon, proposing to him the bloody question.

iii. Attorney Popham took the largest part in the prosecution, as he had done in that of the Earl of Northumberland. It was his business to heap together the smaller charges, to show that the Earl had been the *ally* of many traitors. He took count 4, the Earl's entry into Allen's conspiracy; 5, his letter to urge Allen forward; 6, his flight to Allen; and with these he mixed up a great variety of smaller charges in proof of animus. The Earl's letter to the Queen proved disappointed ambition; he had kept a missive addressed to him as Duke of Norfolk; his friend Hill had said the Pope was disappointed in Catholic England's tameness, etc., etc., etc. This part of the prosecution is extraordinarily hard to follow even in the broadest way. Finally he brought out count 6, the alleged bull of deposition. This opened with a reference to some principal noblemen in England as having desired its issue. "And who so principal as the Earl of Arundel" asked Popham. So he had solicited this bull—and was therefore an arch-traitor.

iv. Solicitor General Egerton took for his theme the Earl's continued treasons in the Tower since his captivity. He had been the mainstay of imprisoned traitors. He had built all his hopes on the Spanish Armada, and had prayers and Masses said for its success. He had plotted to co-operate with the invasion by seizing the Tower, to become captain of the rebels and king of England.

Those who wish to understand the trial may be advised to begin with Egerton, for he is of all prosecutors the clearest and most impressive. His method is to take the evidence of Bennet and Gerard piecemeal, to enlarge and aggravate it, and then "to prove" his point by reading out their sworn words. He was always on his guard, however, against letting one see beneath the surface, or exposing in the least Waad's trickery in cooking the evidence, which we have

seen (pp. 175 to 214). Nothing whatever of this transpired. But as we read the report, with its thirteen times repeated note—"proved," we feel sensibly how highly dramatic the situation was. The fraudulent prosecutor was involving his victim ever more and more surely in a tangle of deceptions, which must infallibly lead to the death sentence.

The speeches, and pleadings of these four lawyers make the four principal divisions of the trial; and an attempt will be made by the editor to mark them in the different reports. But so great is the confusion, that even this cannot always be done with certainty, and it seems impossible to co-ordinate the reports any further.

7. *The Earl's Defence.*—No part of the trial is worse reported than the Earl's defence. From what has been seen already, that is very intelligible. The Earl himself, ill, untrained in pleading, unwarned, without advice, without even a witness on his side, could not possibly match, much less master the four leading advocates of the English bar, who came thoroughly well-prepared, were backed up by the Court at every turn, and jumped up one after another to circumvent, harass, and defeat their victim by every advocate's art. The only scrap of written evidence he possessed, he brought in, minutely written, and hidden next his skin, lest (O, shame!) he should be searched and have it taken from him. He was often unable to follow his enemies' arguments, much less to reply to them. Nevertheless he stated and restated clearly the vital facts on his side, viz., his entire inoffensiveness, and his readiness to serve the Queen even in the most dangerous duties. The reporters do not wholly omit these statements, but in their anxiety to report the spicy charges of the prosecutors they paid little heed to the victim's objections and protests. It must be our duty to keep them better in view. So we return to the trial at the point, where the long indictment (printed above) was read, and we remember that this was the first time that the Earl heard the charges against him, and he strove, with what difficulty we can imagine, to make notes of the charges as they came out.

Called upon to plead guilty, or not guilty, the Earl paused, and then asked to know whether in the opinion of the judges it were lawful to include so many points in one indictment. When the words of the reporter are "Then were the Inditements redd which were in nomber xxiiii," the prisoner, with his life at stake, may well have thought this not the way of justice. But "the Judges satisfied him, it was but one Indictment, and a matter he need not stand upon." The Earl brought forward a case in Edward III., and was answered by the Lord Chief Justice. Thereupon "he asked another question, whether arguments upon Implication are good in the Indictment. It was tolde him, when he cam to aunswere, he might then take exception to what he thought good." A ruling of this sort was necessary to enable the crown lawyers to pursue the course they had resolved upon; they had drawn up their indictment with the object of overwhelming the prisoner in the minds of the jury with the multitudinous charges of treason, in which it was to be inferred that he was involved. The Earl is to be left under this cloud, and to remain under it, unless the prosecuting counsel unskilfully give him an opening to rebut each inference.

"Then he propounded a third doubt"; that if he were charged with matters made treason under the statute of 14 [*vere* 13] Elizabeth, was not the time expired beyond the limit set down in the Statute? Mr. Popham, the Queen's Attorney, replied that the matters he was charged with were made treasons by a Statute of 25 Edward III; "and," interjected Anderson, Lord Chief Justice of the Common Pleas, "before that tyme, by the auncient lawes of the Realm." The Statute of 13 Elizabeth had the merciful limitation that no person should be arraigned under it, unless indicted within six months

after the offence ; but it was quite customary for the lawyers in these trials, that were really for opposition to the Elizabethan religious settlement, to put the accused at a disadvantage by proceeding upon the treason law of 25 Edward III., which had no such limitations. "The ancient laws of the Realm," moreover, would have peremptorily non-suited a case like this, brought against the profession of the ancient religion.

Before pleading *Not Guilty*, as his fourth objection the Earl "againe having looked in his tables asked if the days and places were mistaken in the Indightment, whether it were good in law. Whiche was told him not to be materyall, but the fact itself to be considered." Yet the dates and places had been in some instances invented and ascribed to the charges to give them the air of facts; and in some cases the dating made the fact impossible, in others the date alleged might alter the innocent nature of the fact.

The Clerk of the Crown put the question, "'How wilt thou be tryed ?' 'How must I say ?' said he. It was tolde him, By god and his peres. Then he said 'Why, by God and my Peeres' and liked the Triall well, that he should be tried by such good noble men there present, that knew his life." From the Earl's habitual manner of writing and speaking, these words of trust in others are more than courtliness ; they bear the stamp of his nobility of mind which naturally thinks well of others.

"Againe calling himselfe to mynde, he made a suite to the Lord Steuard, with three severall obeysances on both knees. He said he had been prisoner four years, and twenty-five weeks close prisoner, and that he had been sick and weak, whereby his memory might fail him ; he begged that tedious speeches might not be made for confounding of his memory, but that he might aunswer to every matter as it was objected against him, to every particular point, presently. My Lord Steward answered, 'That there was no other meaning nor intent, and that he should be heard deliberately.'" It is impossible to see that this fair promise was kept.

8. The four prosecutors then began. First, Mr. Sergeant Puckering opened, going back to the alleged treasons of Allen, that he encouraged the invasion of Ireland, and that by the confession of Elliot he had taken order to have fifty men ready with daggs to kill the Queen in 22 Elizabeth. The Earl is devoted to Allen, and therefore favourable to all this, and so guilty of imagining if not of concluding treason. This odious charge of conspiring to murder the Queen should have been swept out of court, but being in the face of such prejudices, and without the necessary preparation and evidence, the Earl took a gentler line. "My Lord answered, he was no Catholic in the 22nd Year of the Queen's Reign," but the charge remained to poison the minds of the jury. Puckering went on to argue that the Earl was no true subject, because he was caught flying to Allen, and the same want of patriotism was evidenced by the confession of Hart, and the catalogues of Throckmorton, and the latter's admission, that Mope (*vere* Charles Paget, here erroneously called Mott) came in 1583 to sound Arundel and others. "The Earl denied to be of this conspiracy, saying that when Mope (Mott) was in Sussex, he never came there but always attended at Court, waiting on the Queen all that summer," Puckering took no more notice of this disproof than of the former ; that the accused was then a Protestant or at the Queen's Court, not at Rome or Rheims, were dates and places not material to disprove his association with alleged conspiracies.

Second came Sergeant Shuttleworth, whose task it was to substantiate the second count of the indictment, that the Earl was a traitor in his reconciliation to the Catholic Church. The accused denied treasonable reconciliation and bad them prove it. Shuttleworth's proof was that "every man that is reconciled doth submit himself to the Pope. The Pope is the Queen's chief

enemy, Ergo." It seems likely that Attorney Popham intervened here. According to our reports his first remarks carried on Shuttleworth's argument. "There was a law made in the 22nd year of this Queen, that whosoever was reconciled to the Pope from the Obedience of the Queen's Majesty was in case of Treason." The Earl denied that he had been reconciled "in any such sort," that is he had never become the Pope's man or his soldier, "but only for the absolution of his sins."

About this period, but our reports vary as to the exact place, the Lord Chamberlain, Hunsdon, intervened. It is most likely that this fanatical Protestant interrupted more than once, to propose what Catholics called "The bloody question." The Earl's silence, in reply, will be explained below,

Mr. Attorney Popham, who came third, began, as we have seen, by urging Shuttleworth's charge that reconciliation with the church, and confession were treason in law. Then he went on to maintain that the conversion was due not to a pure, but to a "corrupt conscience." He said that the Earl was a shuffler and "discontented," and under this head he brought in a number of smaller charges, *e.g.*, that he kept ambitious "devices," which showed himself as a lion, while Elizabeth (so Popham darkly hinted) was being shaken off as a serpent into the fire; that his motto was "white is black, and black is white": that he went to Protestant sermons at St. Paul's in the morning, to Mass at the Charter House in the afternoon [!], until the Lady Margaret made him alter. "To this my Lord said nothing, but seemed to deny it." He also "denied that ever he came to church after that time," that is, he never came to the Protestant church again, after the time of his reconciliation. As to the "devices," he put aside Popham's innuendoes, and frankly bad "him make the exposition himself." (*See also* p. 259 *n*, and p. 279 n.)

9. The alleged statement of a Welsh priest, Jonas Meredith, may be discussed here, as the statement would be inconveniently long for a foot-note. The passage occurs in the middle of Popham's attempt to prove the Earl a man of corrupt conscience. The printed text is full of slips. An unwary reader might perhaps imagine from it, that Meredith came into court and made his statement before the Earl, or perhaps that Hall was reporting something he had heard during the deportation of Meredith. He might also stumble at the "afternoon mass," which is probably not authentic. So it will be best to begin by reconstituting the text from the older manuscript readings and the independent version R.O. 2. The restored text would run in this form.

Anthony Hall, his deposition. (Hall had had authority from the Council for the transporting and conveying of divers Seminary priests, which were banished.)

'One Jonas Meredith, priest, with two more, one Bray and one Burlacy, should have gone over with the Earl of Arundel. Hall being in conference with this Jonas, etc., by way of communication informed them, "One Dowghty and Mr. Duffield have done much good with the Earl, and I take him to be a very good Protestant," adding that he had often observed my Lord at St. Paul's Cross. "You are deceived," said Meredith, "for I have seen him at St. Paul's Cross at a sermon, and yet have said mass unto him presently." To this my Lord said nothing, but seemed to deny it.'

At the end of the trial Hall came into court to swear to his deposition (p. 288) Y.2. So we may believe that the passage reported above was read by Popham.

First let us supplement this with a few dates and facts. The authority given to Hall, "citizen and skinner of London," to transport priests is extant, dated 15th January, 1585, and he was paid at least twice by warrants dated 29th February, 1584–5, and 29th May, 1585. Foley, *Records*, iii, 288. *C.R.S.*, v, 103. Meredith was taken into exile and probably by Hall during this year. But the above "conference" cannot have taken place at that time because

Bray and Burlacy then remained in the Tower. It must have occurred between their first arrest at Portsmouth and the arrival at the Tower gates, 15th to 25th April, 1585. Hall therefore refers to that time. We have heard before of Mr. Duffield, in No. xiv.

Shall we accept Hall's story at the foot of the letter ? This does not seem intelligent. Such men often misapprehend an answer made by a priest, who comes of a different class, and speaks on subjects with which they are not familiar. Meredith himself should surely have been called into court. He was once more in the government's hands, a prisoner at Wisbech Castle, not far off. Why was he not summoned ? Does it not look as though they feared to be contradicted ?

No wonder the Earl " said nothing, but seemed to deny it."

10. Here is a similar episode, the alleged use of the title of Duke. It is a confused charge, of no gravity *per se*, but seems to indicate friendship with extreme ultramontanes.

One of the charges against the Earl was that he ambitiously sought the correspondence and company of Allen, who addressed him as " Duke of Norfolk " ; and that he preserved an address giving him that title.

(*a*) The earliest evidence we have is that of Walsingham to Hatton, 29th April, 1585, " Touching the paper, wherein *it is said* there were certain hallowed grains, I received it from my Lord Treasurer, who can give particular information about whom it was found." Walsingham says nothing of a title on this paper. *Above p.* 116. He has to refer to Burghley for the person about whom it was found. *See* (*f*) *below.*

(*b*) Pedro de Cubiaur in a note, dated in *Foreign Calendar*, 1st May, 1585, wrote that " upon the Earl were found an Agnus Dei, and a letter *from the Pope*, in which he declared him Duke of Norfolk." The rumour therefore was an early one. " It is said " has already vanished.

(*c*) Not long after the Commissioners, to whom Walsingham sent the above guarded statement, examined the Earl (1) if the title of Duke had ever been offered him, or (2) if Allen had ever written to him by that title. The Earl answered to the second " Never " ; To the first he said that, when someone had suggested " a better title," he had answered, " Never while he lived." The matter was not urged. *Above* p. 114.

(*d*) The Lord William, examined if Allen had ever corresponded with the Earl, answered that " He did not know." Again the matter was not urged. The date for this, 11th May, might have been also that of the Earl's examination. *Above* p. 119.

(*e*) Were these questions mere feelers ? We remember the officially approved fraud, used at this very time against the Earl of Northumberland, " The Earl is to be born in hand that [others] have confessed what is likely, probable." (*Above* p. 126). Walsingham had said nothing to Hatton about an ambitious title ; and when the Earl denied its having been used, the examiners dropped the subject, whence the inference is that they had no reliable evidence about it.

(*f*) But in the Star Chamber proceedings a year later Popham, without producing any evidence, takes the whole matter as proved. Allen, he said, " advised the Earl to take a better title," and " concurrently with this there was found in a cloak-bag, wherein the Earl his stuff was, wherein were certain holy grains lapped up, in which paper was written these words, " Philip, Duke of Norfolk, Earl of Arundel." *Above* p. 143. As to the latter paper, we seem to have a clue from R.O. 2. " Edward Burrow advertised his Lordship that he had sent him grains, in a paper from the Pope, which did invest him with the title of Duke." The *Life* too seems to allude

to it thus, "A certain writing of his servant Burlacy, wherein something was contained about his being made Duke of *Norfolk*. To which last he protested that *Burlacy* never acquainted him with any such thing, and that he had never so much as heard thereof until the present time [*i.e.*, the Star Chamber trial] when they alleged it against him."

(*g*) At the trial, Popham took it as proved, as he did before. The writer of Y.1. the most accurate of our reporters, gives Popham's words thus: "There was found in the Earl's cloak-bag the title—Philip, Duke of Norfolk, and Allen persuaded him to take a greater title." So this reporter understood that there were two papers; one with the ambitious title, one with Allen's incitement to use it (p. 270).

(*h*) The other reporters take the two papers as one. So S. T. p. 258 and Y. 2, p. 286. The latter is the more strongly worded, Allen "directed his letter in this sort—To the Right Honourable and Mighty Prince, Philip Duke of Norfolk and Earl of Arundel. The Oxford MS., as usual, goes furthest. "He was surnamed at Rome, Duke Phillip of Arundel."

Though all the reporters notice this matter, not one pretends that any evidence was *produced in court*. Of course it was true that people living abroad *might have* fallen into the form of speech specified. Honorific amplifications were common among them, and would therefore have been of no special import by themselves. But it looks as though the prosecution built upon this *possibility*; as though no papers at all were shown in court. Even if, however, the facts were exactly as Popham declared, they would prove nothing to the discredit of the Earl (pp. 32, 199).

11. To return to the Earl's defence. When Popham argued that to have to do with Allen was to be of the invasion party. "My Lord said, these be but Allegations and circumstances, and that they ought to be proved by two witnesses." It was chiefly to escape from the legal necessity of producing two witnesses that the lawyers ignored the recent and more humane laws, and pretended to proceed on the treason law of 25 Edw. III, which they said treated of *imagined* treason, and as this was not overt, there could be no question of witnesses. However the unfairness of this could not be entirely glossed over; and later in this very trial some concession was made to the public feeling that charges should be backed by witnesses.

Then the Earl asked how they could prove that he, at the time, knew Allen to be a traitor. Popham's reply was that at the trial of Vallenger in the Star Chamber the Earl said that, whoever was a perverse papist could not but be an arrant traitor, that it was an impossible thing for a Catholic to be an honest or true subject; and after that, said Popham, the Earl became a papist. Yet in Popham's presence the Earl at his Tower examination had (equivalently at least) denied the use of the words. As for the accused's knowledge of Allen's true character, he had (continued Popham) admitted that he was present at the trial of Campion when Allen's treasons were laid bare; and it was after that again that he had promised to be at the service of Allen. No answer is reported.

Such were the proofs and disproofs of the fourth and fifth counts of the indictment, that he had put himself under Allen's directions, and instigated him to act. "Before his going over he writt unto Dr. Allen not to be slow upon Execution against her Maiesty and the subversion of the realme; which God miraculously revealed." This oracular statement, made in lieu of evidence, presumably indicates some sharp practice on the part of the prosecution, but we are not able to clear it up at present. In answer the Earl gave a simple explanation: "He understood by Walgrave his man that one [? Richard Bray] his lordship's man [but see p. 280], could procure his passage, whereupon he dealt with Dr. Allen."

12. As to the sixth count, the actual flight to Allen, the defence was that his desire to go over began in fear of the law of 22 (*vere* 23) Elizabeth, "for retaining the Queen's subjects in due obedience" by crushing penalties on hearing mass, becoming a Catholic, abstaining from Anglican Service, etc. But when the law of 27 Elizabeth was passed (which made it treason for a priest to be in England), he was resolved not to stay any longer.

To the charge that he went to serve the Duke of Parma, he said: "Would you have me serve against my conscience?"

13. Afterwards came an important altercation on the subject of his readiness to serve Dr. Allen. He now stated that his meaning was "that he would be ruled by Allen in all things—saving in that which did concern the State and her Majesty."

But our reports differ as to what immediately followed. The Lansdowne text states that the Earl declared that this should have stood in the examination in the Tower. The examination was produced, and there was no such clause found. On the other hand R.O.2. seems to have understood that the Earl sent this clause by letter to the Chancellor (Hatton) and Sir Walter Mildmay, and Mildmay's name is certainly mentioned here by other texts, as S.T., though he is not mentioned as present at the Earl's examination (*above*, pp. 113-115). If then his name does belong here, it partly confirms the reading in which Arundel describes him as a correspondent. The matter is of no great importance, and it forms a useful reminder that discrepancies of the same kind are numerous.

What was important was the Earl's emphatic repetition of his saving clause, and the sequel to his words. By way of expostulation he protested, "He had rather eat off his fingers than do anything against her Majesty." Also "the Earl said he would serve the Queen against all Princes, Pope or Potentates whatsoever (Lansdowne MS.). Mr. Popham said, he would do so, if they came not to fight *for the Catholic cause*," p. 259.

Thus we come again to the *Bloody Question*: Would you fight the Pope if he came warring "*for the Catholic Church*" against the Queen? The Catholic called it by that hard name, because no answer was satisfactory but the Catholic's blood.

It was not that the Catholic would refuse to fight against the Pope for a just cause; that is for a cause as good at least, as must be presumed for any just war. The Earl would doubtless have had something of this sort in his mind when he offered to serve against the Pope.

But the persecutors were not satisfied with this; they insisted that the Catholic should offer to fight in any case, even if the Pope were striving "for the Catholic cause," as Popham puts it. But to fight against Christ's Vicar, when it was admitted by the enemy that the Pope was really contending "for the Catholic cause," was what a loyal Catholic would be sure to decline. The Earl, though he had offered to fight before, would not consent now. He "answered little." But though he said nothing disloyal to the Queen, he was condemned, while if he had been disloyal to his faith, it might have facilitated his escape. (Other instances of "The Bloody Question" are indicated *C. R. S.* v. 414, iii.) This persecution for the faith was brought into even clearer light by what followed. The bigoted Lord Hunsdon cried: "Deny the Pope and his adherents and his damnable heresy—and you shall rejoice us." There was no longer question here of treason against the State; this is "hatred of the Faith" pure and simple. If he would deny the Pope, no more should be heard of the plotting. If he would not, the dubious evidence would become valid, and the sentence quartering. "The Earl would not answer."

14. Extracts from his examinations and especially from his letter to the

Queen were read and twisted against him, as showing discontent. "Then the Earl desired to see his examinations saying "Mr. Attorney was the Spyder, let me be the Bee"; and instead of the poison extracted by Popham drew out honey, showing that his going was for conscience sake.

But the prosecution fastened on the injustice he complained of to his ancestors as proof that the Earl was moved, not by conscience but by *discontent*. The Earl said Holinshed in his *Chronicle* was faulty in declaring that his grandfather had been attainted by act of Parliament; his great-grandfather was condemned by act of Parliament and not called to his answer. "Unto which my Lord Treasurer satisfied him, and said his triall could not be more honorable than by the higher and lower house, and withall it was his great-grandfather's request, for that he was ashamed to have his cause knowne, the matters were so odious against him."

Against other matters next brought up to prove discontent and the favouring of invasion, no reply of the Earl is recorded.

15. To substantiate the seventh count, quotations from the falsely-called *Bull* and Allen's *Letter to the Nobility* were put in as evidence that "my Lord was a practiser with Allen about the Invasion." Asked "Whether he allowed of the Pope's Bull . . . he could not answere." He did not know, as his questioners did, that their document was no Bull at all.

Once more the Earl insisted that when he spoke of something to be done for the Catholic cause he meant "to have men converted to the Catholik faythe"; and the Attorney, with the last word, argued that "it could not be ment of convertinge by Instruction, but by force of Invasion."

The fourth assailant was Solicitor Egerton whose rôle was to prove that the Earl continued his treasons as a prisoner in the Tower, and for this purpose he cited the evidence of Gerard, Shelley, Bennett, and divers other prisoners as has been described above. Finally "My Lord hearing all these matters laid hard against him by Mr. Sollicitor, grew into some Agony, and called for his accusers face to face; which the learned Counsell did not yet yield unto." The written confessions of witnesses against him "were exhibited to be redd. But the Earle did earnestly demaunde that the parties might be produced face to face. Which when the Lord Treasurer had seemed to allow of, the Lord Steward did yeld unto, and Sir Thomas Gerard was produced."

16. *The Witnesses.*—"The gentleman coming throughe the thronge and being of himself very pursie was also somewhat amased withe that presence. Wheruppon the Earle would have taken advantage, and sayd he begann to faynt, willing him to look him in the face, for Sir Thomas his face was to the Lord Steward, and would not (as it were) behold the Earl. He charged him as he would answer before God in whose presence he spoke, to tell nothing of him but truth. In answer whereof Sir Thomas referred himself to his depositions before read, to which he said he was sworn; yea, twice sworn. Mr. Solicitor tolde the Erle it was no direct course to daunt the witnesses for the Queene. The Erle also did alledge that Sir Thomas Gerard's testimonie was not to be taken because he was indicted. Whereunto the Lord Treasurer did aunswer that thindictment was but an evidence and might be traversed, and so the Erle was likewise indighted."

Then came a very dramatic scene, well recorded in Y.1. "Bennett very constantly acknowledged his confession to be of his oune hande wryting and to be most true, as he had taken his othe. Wherat the Erle somewhat altered, for he (as it semed) had affyaunce in a letter of retraction that Bennett had made. Thereupon seinge Bennett so constantly to avowe his confession, the Earle tooke out of his sleve a little Tyckett written verie nere, being the copie of Bennett's letter to him procured by Randall, whiche it seemed he had caused to be written withe a small hande in a little pece of paper least it should be

searched and the originall should have ben taken from him. That he threwe in the Court and desired it might be redd. Bennett denied the same to be of his handwritinge and would not affirm that it did consent in all points withe what he had written out and scribbled. Whereupon my Lord Grey and my Lord Norris semed for the clering of the consciences of the Lords to cause Bennett to utter the truthe of those his contrary confessions; and asked Bennett if he knew of the letter, Yea, or No. Bennett confessed he had been moved to such a matter, but he did it not." Comparing this with Bennett's confessions (pp. 196 to 203) we see that these words, if truly reported, were certainly perjured.

One Walton was brought in to swear to what he had read in letters and had heard related; "The Erle hearing the name of Walton, asked if it were not he that had accused Digbie, and said he was a very lewd fellowe in that he had accused Digbie, and had sold the little land he had to three several people." But the informer was not to be discredited in that court. "Of the witnesses the Earl said that some were attainted, some indicted, bad men and prisoners, and that their words were worth little credit it. Then said Mr. Popham, 'They were never tortured, but confessed all this willingly; and they are such as you have accompanied.'" That is, whoever had once been a co-religionist, became unexceptionable as a witness, however false he might have become since. See pp. 262, 272 (? *alias* Bourne 286), 288, 343.

The exceptions to witnesses made by the Earl, do not perhaps seem strong to us: but to Protestants at the time they seemed most striking (p. 302). They concluded the Earl's defence, but we must not close our survey of it without taking into consideration the Earl's more considered statements found in the letters and proposed speech, which were written immediately after the trial, as well as the sympathetic words of friends like Garnet, Southwell, and the biographer. In the Reports for instance he almost seems to let pass by default the charge of prayers for the Armada. From his letters, etc., we realise how strong his denials had really been. His friends were entirely convinced by them, his enemies feared to face them, p. 271, *Life*, p. 94.

17. *The Evidence.*—Just as the reports of the trial fail to bring out the Earl's defence, so too do they indicate the evidence only in the most confused way. This is partly due to the bad method of reporting. We are rarely sure even of the proper names mentioned; we may be almost certain that half the details are omitted. We are nowhere secure against complete misunderstanding. We are constantly unable to see how the evidence supports the indictment, or applies to the Earl. It would be a waste of time therefore to analyse our text minutely. Still a few features should be noticed.

The *irrelevancy* of much of it is extraordinary. For instance evidence was given by Walton, that he had once heard read at Rheims a letter written by a Mr. Hill, whom the Earl had met some years earlier. In this letter Hill is reported to have said that the Catholics expected Arundel to act as their leader, also that the Pope was rumoured to be disappointed with the submissiveness of the English Catholics as a body (pp. 262, 272 *n*, 277, 288).

The Earl objected to Walton as untrustworthy. He was an apostate. But supposing it all true—*Quid inde*? The idea of the prosecution was, that it proved that the Catholics from the Pope downwards were plotting against Elizabeth, and many knew that the Earl was their man! The "proof" seems to us almost incredibly far fetched and inconclusive. We hardly understand a judge allowing it to be produced in court. See p. 343.

Similarly feeble were the inferences drawn from the "devices" of a rampant lion, and from the "Sword-hanger." The administration of justice must be at a low ebb, when Queen's Counsel are allowed to harass a defenceless man, with mere quibbles like these, pp. 256, 269, 279, 287.

18. *Correspondence with Allen.*—Great play is made of the correspondence between the Earl and Allen. Eight times over reference is found to "several" or "divers" or "other" letters, and they are said to have been shown in court in the plural number. All the reporters agree in this, as a matter that passed before their eyes. Yet it is certain that there was only one such letter, which (in all probability) the government never got hold of. This follows from the document cited above p. 114 and is very strongly confirmed by the indictment itself, count 5, *which only mentions one letter*, without even a flourish about others, p. 221.

There can be no question that the agreement between the reporters proves that some attempt was made in court to represent the letters shown as those of Allen; that there was therefore *some* deception practised. But it may be that the deception lay rather deeper than in the flourishing about of autograph letters. If we read the accounts critically we shall find that other correspondents of Allen are sometimes described as the Earl. One reporter mentions a letter as from Nicholas Sander, which others represent as from the Earl, and *vice versa* a letter is once described as from the Earl to Hugh Owen, p. 267, where others seem to describe it as to Allen, pp. 278, also 253.

It is probable therefore that the main deception lay in persuading the audience that mere trifles proved the Earl to be in traitorous communication with Allen. Possessed by that delusion the reporters perhaps went beyond their deceivers and thought that every autograph shown was from the Earl.

Knowing, as we do from the date of the falsely-called Bull, how tricky the prosecution were about dates, we may very well suspect the date 18th November, which in the indictment they ascribe to the letter to Allen, of which they otherwise know no more than the Earl told them (above p. 114). Does not the date seem like a mere feint, to produce the impression that they had the original, without actually saying so?

No letter exists from the Earl to Allen, or from Allen to the Earl, so that we cannot directly test the wording of what purport to be quotations from their correspondence. But as we have seen Popham's determination to understand the Earl's zeal for the return of the old religion as devotion to the cause of invasion, and that this makes him interpret and explain in court that "conversion" on the prisoner's lips meant "force of invasion" (p. 267). So it is impossible not to suspect that in the same way he would render the written word in alternative, but more highly-coloured phrases. Thus a lament that Allen was not able effectively to help the Catholics in England, would become an exhortation to Allen not to be slow against the Queen and to stir up foreign princes; so too an offer of personal service would be transformed and made more pointed as readiness to serve with Parma or Guise for the invasion. As they stand the supposed quotations are entirely unsupported by other testimony and are flatly opposed to what is known of the character of the two writers.

There is also the possibility that the multiplication of letters to Allen might be connected with treacherous communications of Grately *alias* Bridges, who had gone over to Walsingham before the trial, and written to him several letters preserved among the *Addenda* in the *Record Office*. See the *Addenda Calendar*. But sadly treacherous as these letters are, they do not suggest any malpractices towards the Earl. Though possible therefor, such crimes should not be presumed.

19. A noticeable misuse of evidence, occurred in connection with the alleged letter to a supposed "Mr. Baker of Lynn." It had been found in a suspicious way by one John Coxe and shown to Burghley (p. 286). The Earl though he was not allowed to read more than two lines (above p. 115) was examined about it, and declared it to be certainly forged. It was not brought forward at

trial in the Star Chamber, but here it was made so much of, that all the reports describe it, as if it were wholly above suspicion. The Oxford Report shows the effect which it made on hostile minds. The Earl, it says, went abroad "to lead an army in the Low Countries, and *before his departure by his letters requested the Papists to be present at such time as he should return*," meaning of course, that they should join him arms in hand. Even the forged letter did not say more than that he was going away and would return "to the comfort of all Catholiques." But the fanatics, inflamed by Counsel, were accepting innuendoes, though based on evidence which would not stand examination, at far more than their face value. (*See also* p. 257 *n*, 270, 281, 286.)

20. The confessions of many who had been executed for conspiracy were put in, but no attempt was made, except in two cases, to show that the Earl's name was mentioned in the confessions. They were meant to serve as evidence of the traitorous character of all Catholics, especially of Allen. Where we can find full texts, we have no difficulty in showing that the alleged evidence tells against the prosecution, but except in the case of the alleged Bull, our documents are never quite complete, though sometimes very little is wanting. By good fortune we have one of the briefs (as perhaps we may call it), about attacks on Catholics, prepared for Popham in the proceedings held against the Earl of Northumberland. His case is in some respects so nearly parallel to that of Earl Philip, that this *répertoire* of invectives might also have been supplied to the lawyers in our case. They would certainly have had something similar under their hands. (*See* p. 289.)

21. *Close of the Trial.*—The court had been sitting since before nine in the morning without an interval, and the April day was drawing to an end. The lord steward asked the four counsel and the prisoner if they had anything more to say and was answered in the negative. The earl submitted himself to his peers' judgment with protestation of his own loyalty: "I pray God you may do that which shall be to the glory of God, the safety of her Majesty, the benefit of the realm, and the discharge of your consciences." Then the lieutenant withdrew his prisoner from the bar to the lower end of the hall where there was a seat for him near the court of Common Pleas, which opened out of the hall below the middle on the west side. The lord steward withdrew for a time to take refreshment. The jury went apart into the Queen's Bench, and were absent about an hour. Of their deliberations we know only that, requiring expert advice on some point or points, they sent for certain of the judges who conferred with them in the court of Chancery.

On the return of the jury into open court, the lord steward asked each in turn for his verdict, beginning with Lord Norris, the youngest, and ending with Lord Burghley, the foreman. Each rose in his place, cap in left hand, right hand on his heart, and in slightly varying phrase declared the earl guilty. The lieutenant was commanded to bring back his prisoner, who was observed to come cheerfully to the bar. The clerk of the crown asked: "Philip, late Earl of Arundel" whether being found guilty he had anything to say before sentence. He answered nothing in the world, but softly as it were to himself: *Fiat Voluntas Dei.* The lord high steward pronounced sentence of hanging and quartering, execution to be had at Tyburn. The appalling details are given in S.T., the exact words are in the *Baga de Secretis.* The condemned man, "making three very low obeisances upon his knees," begged that he might be allowed to consult with his officers for the discharge of his debts, that he might be permitted to see for the first time the son* born to him since his imprisonment, that he might have leave to see his wife. Lord Derby promised that he would present his three requests to the Queen.

* Thomas, born 7 July, 1585.

The Earl made a last obeisance to the State, and was carried back to the Tower, the axe borne in front with its edge towards him. When he had passed from sight, the court was dissolved, every man crying: God save the Queen.

22. *The Texts.*—The method of reporting has been described above, and it has been shown that of the eight texts, four are independent and will be printed separately, four give in substance the same text, and this, which is the fullest as well as the most copied, has been long since selected for publication, and has been printed in *State Trials* in many editions. This text may therefore be considered as a *textus receptus*, and partly for this reason, partly because it contains several passages not found in the others, it has been chosen for reproduction here. It is, however, the latest in development, and as uncritical in its readings as the others, if not more so. Still, these deteriorations are slight in themselves, and are corrected in the apparatus criticus. Taking all into consideration, this *textus receptus* is likely to prove the most useful as a basis for marking variations.

1. The oldest text is "R.O. 1." (Record Office, *D.E.*, 223, n. 85.) This is proved by internal evidence as follows. When Solicitor Egerton began (*below* p. 259) the reporter did not at once advert to the change of speaker but wrote in general terms: "The Queen's learned counsel stood upon this point, etc." But shortly after, having noticed the change, he wrote—"Sithence Mr. Solicitor began to speak"—and then to indicate the place of beginning, he went back to it in his copy and made a mark ɑ in the margin. Which done he continued—"at this mark ɑ, Bennet the priest was charged, etc., etc."

Supposing the deficiency, usual among Elizabethan scribes, of caps, and points, a later copyist would find himself confronted with this passage (which was perhaps an interlineation, obscure to the eye). "Sithence Mr. Solicitor began to speak at this mark and Bennet the priest was charged," and this he copied with an hasty amendment as—"Sithence Mr. Solicitor began to speak how this Mark Bennet the priest was charged, etc., etc.," as we find in the printed text. As we trace this passage in the other copies we can see that they are all more or less corrupt here, and this signifies that they are all subsequent in date to the Record Office text. The general trend of the variant readings bears this out; so does the character of the handwriting.

The title of the MS. is—*The order of the arraignement of Philipp Howard, Erlle of Arundell, the 14th day of April, 1589, at Westminster.* The R. O. reference is *Dom. Eliz.*, ccxxiii, ff. 168 to 178, 4to, a subcontemporary copy.

2. H, that is Harleian MS. 834, No. 5, ff. 59 to 62. *The arraignment of Philip Howard, late Earl of Arundell.* It is given the second place, partly because of the character of the writing (which is certainly pre-commonwealth), partly because of its readings. For instance, it gives correctly the date of the Commission for the trial, viz., 8th April, 1589. Lansdowne MS. by slip gives, 1509, and *State Trials*, seeing an impossible date, omits it altogether. The copyist has transferred the names of the speakers to the margin, altering his text to suit. The adjective "late," in "late Earl," which appears here in the title was subsequently inserted at many other points.

3. L., that is Lansdowne MS. 256, ff. 166b to 176, entitled *The Arraignment trial, condemnation, and indictment of Philip Howard, Earl of Arundel, the 14th April, 1589, at Westminster.* Hand of the commonwealth period. The text is very like the last. Both have copied a roughly written report, which they amend as they go along, but Lansdowne has added fairly long passages from other sources, and several times goes back to older readings.

4. S. T. that is *State Trials.* The oldest edition I can find, of 1730 in six volumes, declares itself to be "The second edition with great additions." Other editions 1809, 1888. S.T. is fuller than any other, and though a trifle more careless, is upon the whole preferable as a base for marking variations, because it is already known.

In the *Variant Readings* noted below, no attempt is made to treat the original or archetype, as a literary composition, to be restored to its composers' ideal. It is primarily a question of eliminating copyist errors, filling up omissions, correcting evident misconceptions. Only the variants, which affect the sense, are dealt with. No attempt is made to catalogue all the mistakes of mere carelessness.

Neither is any attempt made *here* to deal with *standing corrections,* mentioned above in the descriptions of the *texts.* Such for instance as variations of mere legal phraseology. Phrases like divers, sundry, or many times, often, etc., honorific adjectives applied to the Sovereign, etc., the changes between the Earl, the late Earl, my Lord, etc.—in all which the scribes considered themselves free—are not here noticed at all.

1.

The Report in "State Trials."

A complete Collection of State Trials for High Treason, &c., London, 1730, *vol. I, pp.* 156 *to* 161.

The Trial of Philip Howard, *Earl of* Arundel, *for* High-Treason, *the* [14]*th*[1] *of* April, 1589. 31 Eliz.

FROM the outward Bar in the *King's Bench,* there was a Court made of 30 Foot square, within which was a Table of 12 Foot square, covered with green Cloth; and in the same Court were Benches to sit upon, covered with green Say. In the midst of the same Court, at the upper end, was placed a Cloth of State, with a Chair and Cushion for the Lord Steward: from the midst of the same Court, to the midst of the Hall, was built a Gallery for the Prisoner to come upon to the Court, in length 110 Foot, and in breadth 15 Foot, and in height from the ground 6 Foot, railed round about, and going down with seven Steps.

[Opening Formalities.]

[2]Between eight and nine of the Clock in the morning, the Earl of *Derby,** Lord Steward his Grace, enter'd the Hall, attended by divers Noblemen and Officers, four Serjeants at Arms, with their Maces waiting before him; next before his Grace, the Earl of *Oxford,* Lord Great Chamberlain of *England.* My Lord of *Derby's* Grace being seated in his Chair of State, every Nobleman was placed in his degree, by Garter King of *Heraults.*

[1] S.T. erroneously prints 18 *for*—14. Ashmole 824, 14, calls it—"the fourth."

[2] The MS. texts begin here. *For*—Lord Steward, H. *reads*—High Steward of England, who was placed under the cloth of state. L. *reads*—Lord Steward for the time . . . attended by the Earl of Oxford.

* Henry Stanley, 4th Earl of Derby. His mother Catherine Howard, was Philip Howard's grand aunt. Henry had been a vigorous persecutor of the Lancashire recusants, and a commissioner for the trial of Mary Queen of Scots.

At his Grace's feet did sit Mr. *Winckefield*, one of her Majesty's Gentlemen-Ushers, holding a long white Wand in his Hand, being accompany'd with Mr. *Norris*, Serjeant of the Garter.

Before them did sit Mr. *Sandes*, Clerk of the Crown of the *King's-Bench*.

Opposite against my Lord's Grace did sit the Queen's Majesty's Learned Council, *viz.**

1. Serjeant *Puckering*.
2. Serjeant *Shuttleworth*.
3. Mr. *Popham*, the Queen's Attorney-General.
4. Mr. *Egerton*, the Queen's Sollicitor.

The Names of the Commissioners on the Right Hand, sitting upon a lower Bench, under the Lords of the Jury.†

1. Sir *Francis Knowles* Kt. Treasurer of the Houshold.
2. Sir *James Crofte* Kt. Comptroler of the Houshold.
3. Sir *John Perrot*, one of her Majesty's most Honourable Privy Council.
4. Mr. *Wolley*, Secretary of the *Latin* Tongue, of the Privy-Council.
5. *John Fortescue*, Master of the Wardrobe, and of the Privy Council.
6. Dr. *Dale*, one of the Masters of Request to her Majesty.
7. *William Fleetwood*, Serjeant at Law, and Recorder of *London*.
8. Mr. *Rockby*, Master of Requests, and Master of St. *Katherines*.

The Names of the Commissioners on the Left Hand.

9. The Lord Chief Justice of *England*, Sir *Christopher Wray*.
10. The Master of the Rolls, Sir *Gilbert Gerrard*.
11. The Lord Chief Justice of the Common-Pleas, *Edmund Anderson*.
12. The Lord Chief Baron of the Exchequer, *Roger Manwood*.
13. Justice of the Common-Pleas, *William Periam*.
14. Justice [Francis] *Gawdy*, of the King's Bench.

The Serjeant at Arms, usually Attendant on the Lord Chancellor, nam'd *Roger Wood*, was commanded to make an *O Yes* three times.

Then Mr. *Sandes*, Clerk of the Crown, read the Commission [8 April, 1589].[3]

And Sir *Francis Knowles* Kt. gave up the Verdict of the great Assize.

Then was called *Matthew Spencer*, Serjeant at Arms, to return his Precept; which was returned and read.

[3] H. gives the date correctly; L. slips into 1509; S.T., perhaps seeing that this year was impossible omits the date altogether.

* Biographies of Puckering, Popham and Egerton will be found in *D.N.B*, They had all taken part in the trials of Catholic sufferers.

† The names of the fourteen commissioners are given in special Commission *Baga de Secretis*. M. 21. *Fourth Report*, p. 279. Biographies of all will be found in *D.N.B*. They are all of the Court party, and advanced Protestants.

After that, the Noblemen and Peers of the Jury, for his Trial, were severally called by their Names, as followeth :*

1. *William* Lord *Burleigh*, Lord Treasurer of *England* [Cecil.]
2. *William* Lord Marquess of *Winchester* [Paulet].
3. *Edward* Earl of *Oxford*, Lord Great Chamberlain of *England* [Vere].
4. *Henry* Earl of *Kent* [Grey].
5. *Henry* Earl of *Sussex* [Radcliffe].
6. *Henry* Earl of *Pembroke* [Herbert].
7. *Edward* Earl of *Hertford* [Seymour].
8. *Henry* Earl of *Lincoln* [Fiennes of Clinton].
9. *Henry* Lord *Hunsdon*, Lord Chamberlain of her Majesty's Houshold [Carey].
10. *Peregrine* Lord *Willoughby* of *Eresby* [Bertie].
11. Lord *Morley* [Parker].
12. Lord *Cobham* [Brooke].
13. *Arthur* Lord *Grey*.
14. Lord *Darcy*, of the North.
15. Lord *Sandes*.
16. Lord *Wentworth*.
17. Lord *Willoughby* of *Parham*.
18. Lord *North*.
19. Lord *Rich*.
20. Lord *St. John* of *Bletsho*.
21. Lord *Buckhurst* [Sackville].
22. Lord *De la Ware* [West].
23. Lord *Norris*.

Then the Lieutenant of the Tower was called to return his Precept, and to bring forth his Prisoner, *Philip* Earl of *Arundel*. The Earl came into the Hall, being in a wrought Velvet Gown, furred about with Martins, laid about with Gold Lace, and button'd with Gold Buttons, a black Sattin Doublet, a pair of Velvet Hose, and a long high black Hat on his Head ; a very tall Man, looking somewhat Swarth-colour'd.

Then was the Earl brought to the Bar, with the Ax carried before him by Mr. *Shelton*, Gent. Porter of the Tower, being accompanied with Sir *Owen Hopton* Kt. Lieutenant of the Tower, Sir *Drew Drury*, Constable of the Tower for the time, Mr. *Henry Bronkard*, and others.

* The original panel is still extant in the *Baga de Secretis*, m. 10, printed, *Fourth Report*, p. 281. A dot is perfix to each name, a register no doubt of the cry *Present*. After each name comes " dicit quod est culpabilis "—the verdict. For facility of reference, the family name is added here, where different from the title. The name of Charles Lord Howard of Effingham was on the panel but it is struck through with a pen. The peers seem to have been chosen to represent all parties in the house.

At my Lord of *Arundel's* coming to the Bar, he made two Obeysances to the State, and to the Nobles, and others there present.

Then did Mr. *Sandes*, Clerk of the Crown, say, he was indicted of several Treasons, and said unto him.

Philip Howard, Earl of *Arundel*, late of *Arundel* in the County of *Sussex*, hold up thy Hand.

He held up his Hand very high, saying, Here is as true[4] a Man's Heart and Hand, as ever came into this Hall.

Mr. *Sandes* then read the Indictment.

[Indictment.]

That whereas divers traitorous Persons, in the Parts beyond the Seas, being natural *English*-men, *viz.* Dr. *Allen*, *Parsons*, *Campion*,[5] *Mott*, and divers others, have heretofore, divers and sundry times, with sundry Persons, as well *English*-men as of other Countries, practised to accomplish and bring to pass several dangerous and unnatural Treasons against the Queen's Majesty, her Royal Person, Crown and Dignity, *viz.* to subvert the State, invade the Realm, to set up Catholick Religion, to raise Insurrections, *&c.* amongst which number of unnatural Traitors, the Earl of *Arundel* was well acquainted with that notorious Traitor Dr. *Allen*, by means of *Bridges*, *Weston*, *Ithell*,* and other[6] Popish Priests, with whom, divers times, sithence the 20th[7] year of her Majesty's Reign, he hath had private and secret Conference, and Communication of several Treasons; insomuch, that the Earl of *Arundel* did presently dispatch his several Letters† by *Bridges* aforesaid, to Dr. *Allen*, to wish him at any hand to do something concerning the Cause Catholick; wherein he promised to perform any thing that Dr. *Allen* should think fit for him to do. And whereas, the 24th[8] day of *April*, in the 27th Year of the Queen's Reign, he was flying by Sea to Dr. *Allen*, that Arch-Traitor; and that the Bishop of *Rome*, and the King of *Spain*, were thereupon sollicited by *Allen* aforesaid, to raise War against this Realm: And whereas also the Earl of *Arundel* had understanding of a Bull, that *Sixtus* the Fifth[9] Pope of that name, had sent into *England* for the

[4] L. Hand of the truest man. Other variants in the independent accounts.

[5] H. *omits*—Persons, but *inserts*—Harte. Mott is perhaps—Morton telescoped into Harte.

[6] H. and L. *read*—others by sinister means, they being three popish priests.

[7] H. and L. *omit*—divers times, and *for*—20 *read*—22. R.O. 2 correctly *reads*—26.

[8] H.L. and R.O. 2, correctly *read*—14 *for*—24; but R.O. 2 incorrectly *adds*—28 Elizabeth.

[9] H. *for*—fifth *reads*—first; R.O. 2 *reads*—vj.

* Ithell. This name is not in the original indictment though he was present as a witness. The name seems to take the place of the two *aliases of* Bridges and Weston.

† Several letters. This appears to be an error of the reporters. The indictment really only speaks of *one* letter to Allen. The mistake however recurs here constantly and crudely. We read that some eight letters of the Earl to Allen were actually brought into court and shown. If such mistakes could be made in matters of fact before the reporter's eyes, how much more in the more subtle points.

Excommunication of her Majesty, and for the invading of the Realm, &c. And that at the Tower, the 21st of *July*, in the 30th Year of her Majesty's Reign, he did imagine, with other traitorous Persons, that the Queen was an Heretick, and not worthy to govern the Realm; and that he did move and procure one *William Bennet*, a Seminary Priest, to say Mass for the happy Success of the *Spanish* Fleet; whereupon he had Mass, and did help to say Mass himself, to that purpose: And having news of the Conflict at Sea betwixt the *Spanish* Fleet and the *English*, he procured Sir *Thomas Gerrard*, and divers others, then Prisoners in the Tower, to say Mass with him for the fortunate Success of *Spain*; and that he made a Prayer specially for that purpose to be daily used and exercised amongst them.

[Pleading.]

[10]Hereupon Mr. *Sandes* asked the Earl of *Arundel*, if he were Guilty, or Not Guilty of the several Treasons comprised in the said Indictment?

†To this the Earl answered, He would fain know, whether the several Points in the Indictment contained were but one Indictment, yea or no?[11]

The Judges satisfied[12] him, it was but one Indictment, and a matter he need not stand upon.

My Lord vouched a Case in *Edw.* 3. and in the end said, Not Guilty; and was well contented to be tried by his Peers, and liked the Trial well, that he should be tried by such good Noblemen there present, that knew his Life: He said, he had been Prisoner four years,* and twenty-five[13] weeks close Prisoner, and that he had been sick and weak, whereby his Memory might fail him; and therefore humbly desired my Lord Steward's Grace, making three several Obeysances on both Knees, that he might be heard to make answer to every particular Point.

My Lord Steward answered, That there was no other Meaning nor Intent, and that he should be heard deliberately.[14]

[10] Hereupon. H. *inserts*—During the time of the reading of the Inditement, the Earl of Arundel drew out of his pocket a pair of writing tables, in which sometimes he noted, as it should seem some special points objected against him.

[11] Indictment. L.—Here the Earl paused again a while, and in the end said he would fain know whether it were the lawes of the realme to have so many points of treason contained in one inditement, and thereupon vouched a case of Edward 3d. Y.1. says he was answered by the Lord Chief Justice. R.O. 2 says it was by Popham.

[12] L. *for*—satisfied, *reads*—certified.

[13] Twenty-five. H.—two and twenty. L. and Y.1.—XXV.

[14] Deliberately. Y.1.—That tedious speeches might be avoided for confounding of his memory, but that he might answer to every matter as it was obiected against him. *See also* R.O. 2.

* The Earl was arrested at sea about the 17th of April, 1585, and was sent to the Tower about the 25th. So the four years' imprisonment were complete within a few days. The twenty-five weeks' close confinement dates back to about 20th October, 1588, to the period, that is, of the dispersal and separate examination of the Tower prisoners upon the disorders. *Above* xlix.

† See note † p. 251.

[Mr. Sergeant Puckering.]

Then did Mr. Serjeant *Puckering* deliver to the Lords of the Jury, the Effect of the Indictment, and other Evidence at large, as followeth:

First, that my Lord had private and secret Conference with *Bridges* aforesaid, and divers other Traitors and Seminary Priests; and that he had written his Letters to Dr. *Allen*, to find which way he might further the Cause Catholick.[15]

That he did fast twenty-four* hours, and prayed for the happy Success of the *Spanish* Fleet.

That *Allen* and others, being arrant Traitors, had taken order, that in the 22d Year of her Majesty's Reign, there should be 50 Men in privy Coats, and Pocket-Daggers, to kill the Queen; and that one *Pain* and one *Elliot* were put in trust to perform the same.† That my Lord was a Catholick, and favoured their Proceedings.

My Lord answered, he was no Catholick in the 22d Year of the Queen's Reign.

That he secretly was flying out of the Realm to Dr. *Allen*, being an Arch-Traitor; which doth argue my Lord to be no good Subject.

[15] L. here takes in some new matter.—"That he wished Dr. Allen to doe something in the cause Catholique, and willed Allen in any wise to find which way he might further the cause Catholique, and promised also to do anything he should think fit for him to do.

A letter was also showed that Allen sent word to the Earl that the Pope would send 2,000 men towards the aid of the Spanish Navy.

Letters were showed and one Elliot a yeoman of her Majesty's guard confessed, that one Payne was put in trust to provide that there should be 50 men armed with coats and pocket daggs to kill the Queen, and other of her Majesty's most honourable councell.

A letter of Allen was shewed sent to the Earle to knowe how many men of account should be dealt withal in England.

Another letter was shewed sent by the Earl to Allen, provoking him to stir up four [*sic*, ? foreign] princes for the invasion of the realm, certifying what noble men and gentlemen were true Catholiques here in England.

That he fasted xxiiij hours and prayed for the happy and good success of the Spanish fleet.

That he writ his letters to the Duke of Guise and to Doctor Allen, that archtraitor, and divers other traitors beyond the seas, dated the 22, 25, 26 years of her Majesty's reign containing matters of treason for the invading of the realm and for setting up Catholique religion.

* This solitary mention of *fasting* for 24 hours is evidently a mistake for the 24 hours *prayer*. Nevertheless the Earl did sometimes abstain from all food and drink for a whole day. See *The Life*, p. 108.

† The relevancy of this cock and bull story of 50 murderers is explained in Popham's brief *below*, p. 291. The plot was supposed to have been suggested by Allen. The fiction caused the condemnation of Blessed John Payne when tried before Justice Gawdy, 23rd March, 1582. Elliot of course does not appear in court, but his false confession is made to do duty once more. See the variant readings, and the independent versions, R.O. 2, and Y. 1. Elliot's original confession, 10th August, 1581, is printed in *Foley*, ii. 588. See also *Lives of the English Martyrs*, ii. 429–437.

That *Throckmorton* practising his Treasons* by sounding the Ports, he did set down in his Catalouge, that a South-west Wind would serve from *Spain* to *Arundel*-Castle in *Sussex*, and an Easterly Wind from the *Low-Countries*.

That in *Throckmorton's* Catalogue of all the Names of all the Noblemen and Gentlemen of every Shire that affected the Catholics; he began in *Sussex*, and set down the Earl of *Arundel's* Name the first.

That further, one *Mott*†, a Priest, informed *Throckmorton*, that he was come over to sound the Intents of the Earls of *Arundel* and *Northumberland*, and others.

My Lord answered, when *Mott* was in Sussex, he never came there, but always attended at Court.

Mr. *Puckering* said, The Traitors have a good Conceit of my Lord of *Arundel* in knowing him to be affected to the Catholick Cause.

It was defined, that the Catholic Cause was mere Treason.‡

Petro Paulo Rossetto[16] came over to sound Noblemen and Gentlemen in *England*.§

[Mr. Attorney Popham.]

Then said my Lord, How prove you me to be a Traitor in these Points?

[16] Rossetto. R.O. 1. and Harl. *add*—a Spaniard.

* Francis Throckmorton's so-called treason is described pp. 41, 294, 295 *n*. The Earl's name does not appear in the "true and perfect relation" about it officially published, but the Earl was from the first treated with suspicion. Nothing, however, being found against him, he was after inquiry set free. An all important fact, which should have been mentioned here. Throckmorton's Catalogue mentioned above, is not at present known.

† In the report of the indictment we have seen the names Morton and Hart, priests, amalgamated into Mott. Here "Mott, a priest," takes the place of Mope the alias of Charles Paget, Esquire, who was in England, in autumn, 1583, in connection with the so-called Throckmorton plot. Though the Earl was at the time freed from suspicion on this head (Nos. xiii to xvii *above*) the charge is now malevolently resumed in order to strengthen Puckering's insinuation, "Traitors have a good opinion of my Lord of Arundel."

‡ Such statements as, "The Catholic cause is mere treason" were more frequently used by fanatics than by sharp lawyers. They could not but see that such fierce words must lead up to cruel threats of universal massacre, and that these excesses did more harm than good to their side. On the other hand the Earl's declared intentions in prayer were for the "The Catholic cause." So the lawyers magisterially "defined" that, "Catholic cause" was a mere gloss for "treason."

Y. 1. has a similar and somewhat fuller passage, but ascribed to Popham, whereas here we seem to be at the close of Puckering's pleadings. There Popham goes back to the vulgar Protestant superstition of those days, that all conventions of Catholic powers must be to enforce "Holy Leagues" for the extermination of Protestants. At the Council of Trent there was such a convention, and therefore, said he, there was such an intention. So did Mr. Attorney "expound" what was to be "intended by [the words] Catholic Cause." He soon after repeated the statement with a slight verbal change. To be "Captain over Catholics" was as much as to be "captain over traitors."

§ Petro Paolo Rosetto, a Spaniard—*see* the variant readings. This name, which does not seem to occur elsewhere, may perhaps be mere bravado on the lawyer's part. According to Y. 1. Sergeant Shuttleworth was speaking before Popham began.

Because, said Mr. Popham,[17] you have confederated with Traitors* by desiring Dr. *Allen* in your Letters to employ you any way, that concerned the Cause Catholick: because you have been reconciled to the Pope; and there was a Law made in the 22*d*[18] Year of this Queen, That whosoever was reconciled to the Pope from the Obedience of the Queen's Majesty, was in case of Treason.

My Lord confessed, that *Bridges* did confess him, but not reconcile him in any such sort,† but only for Absolution of his Sins.

Mr. *Popham* charged him, that he did once submit himself, but sithence fell from his Submission, and therefore[19] practised new Treasons.

He confessed he was acquainted with the [three][20] Priests,‡ and by two of them had been absolved and confessed.

Sithence which time, said Mr. *Popham*, he came to the Church, § and fell to the Catholick Cause again, which he cannot do by their Order, unless he be reconciled.

My Lord denied, that ever he came to the Church after that time.[21]

[17] Popham. R.O. 1. and H. *insert*—the Queen's Attorney General.

[18] 22d. H. and L. *read*—27.

[19] Therefore. R.O. 1., H., L., *read*—lately.

[20] Acquainted with the priests, R.O. 1, and H.—familiarly acquainted with three priests.

[21] The position of this clause in the three MSS. is after the third clause below, which ends with—"witnesses."

* Popham's pleadings gain greatly in coherence if we remember that he is supporting counts four to seven of the indictment. (See *above*, p. 221, and the Earl's *Defence*, p. 241.)

† 'In any such sort." *I.e.*, he was absolved from his sins, not from his allegiance. Gregory xiii, by an answer of 14th April, 1580 (See *Domestic Calendar*) explanatory of Pius V's Bull of Excommunication had declared authoritatively, what Catholics in England had always held, *viz.*, that the Bull did not require them to withdraw their allegiance.

‡ Three priests. See Variant Readings. This is the same error about *three* priests as in the summary of indictment *q.v.*

§ "He came to [Protestant] church, and fell to the Catholic cause" and just above "he fell from his submission." See also p. 269 *n*. This assertion of relapse after becoming a Catholic rests apparently on various misunderstandings. It is true that the *Life*, p. 187, tells us his daughter Elizabeth, was during the Countess's captivity at Wiston, 1584, "by the Earl's appointment baptised according to the Protestant manner," but this was probably before his reception. After that the earl's conscience would not allow him to be present at a non-Catholic service, even when his official attendance on the Queen required it. The *Life*, p. 74, speaking of this charge of double-dealing in religious profession says: "And this calumny was so divulged, that some of his keepers told him, how very many in the kingdom were of opinion that he made show to be a Catholic only out of policy; to whom with great mildness he made this answer. 'That God alone doth know the secrets of men's hearts, and that he thought there was small policy for a man to lose his liberty, hazard his estate and life, and live in that manner in a prison as he then did.'" The earl's denial is in accordance with all likelihood; whereas Hall's story of what he heard from Fr. Meredith is not. Besides Meredith was in the government's hands not far off. Why was he not called? It looks as though they dreaded contradiction.

There was a Letter sent to the Queen of *Scots* by *Morgan* of *France* in Commendation of two Priests, wherein he saith, one of them had reconciled the Earl of *Arundel*.*

Edmonds, a Priest, upon Examination, said, that Reconciliation was odious.

My Lord said, These be but Allegations and Circumstances, and that they ought to be proved by two Witnesses.†

It was justified, he said once in the Star-Chamber amongst the Lords there assembled concerning a Libell, that whosoever was a perverse papist was an arrant Traitor.‡

Mr. *Popham* said, it was a Discontentment made my Lord a Catholick, and not Religion; and that he did disguise himself in shadow of Religion.

There was a Picture shewed that was found in my Lord's Trunk, wherein was painted a *Hand bitten with a Serpent shaking the Serpent into the Fire*, about which was written the Poesie, *Quis contra nos?* On the other side was painted a *Lion Rampant, with his Chops*[22] *all bloody*, with this Poesie, *Tamen Leo*. My Lord said, one *Wilgrave's* Man[23] gave him the same, with a pair of *Hangers* for a New-year's Gift.

One *Jonas Meredith* being examin'd, about his Communication with a Towns-man, who commended[24] my Lord of *Arundel* for his Forwardness, in that he had often observed my Lord at *Paul's Cross*. This *Jonas* answered, That he knew he had often been at *Paul's Cross* in the Forenoon, and hath heard a Mass with him at the *Charter-house*, in the Afternoon.§

[22] Chops. All three MS. *read*—forces, *i.e.*, latin *fauces*. Y. 1 gives the first posy completely,—Si Deus pro nobis, quis contra nos.

[23] Wilgrave's man. The true expansion should be—Walgrave his [the Earl's] man. L. *reads*—Wangrave, *and*—sword hangers. R.O. 2 *reads*—Wetgrave.

[24] R.O. 1 and H. *read*—One Jonas Meredith, with ij priests more, should have gone over with the Earle of Arrundel. One by way of communication talking with this Jonas commended. L. *reads* J.M., a priest told a citizen he had oft know'd the Earle of Arundell at Paul's Cross at a sermon in forenoon, &c. For a reconstitution of the text see introduction. R.O.2 *inverts*—and places Mass in the morning.

* This letter is quoted *above*, p. 150. It was one deciphered by Phelippes, and he would be brought into court to swear to it. A parade of proof for the earl did not deny his reconciliation. Morgan, notorious for his partisanship, gave his supporter Grately the sole credit for the conversion. The other supporter whom he blindly praises is the double traitor Gilbert Gifford, who betrayed Queen Mary. Weston's words are more fully given in R.O. 2.

† Prisoners in these trials constantly appealed for the production of two witnesses. Popham as constantly held that the Statute 1 Philip and Mary repealed the law of 25 Edward III, c. 2, so as no longer to make necessary the two witnesses. See *State Trials* (1730), p. 129, and Reeve, *History of English Law*, Ed. W. F. Finlason (1869) iii, pp. 808, 809. See *above*, pp. 214, 241.

‡ Another reference to the Vallenger trial, *above*, p. 33. In his Tower examination at which Popham was present, the earl "seemed to deny that he ever had used those words." *Above*, p. 184. The "Libel," which Vallenger was charged with, was the *True Report of the Death and Martyrdome of M. Campion Jesuite, wherunto is annexid certayne verses made by sundrie persons*, a most admirable little tract, of which there is a copy in the British Museum, 1370, a 80. Allen's *Briefe Historie of the Martyrdome* (reprinted by Pollen, 1908), embodies large portions of Vallenger's tract.

§ See *Introduction*, § 9.

To this my Lord said nothing, but seemed to deny it.[25]

My Lord being examin'd in the Tower, of his sudden going away to Sea, he answered, To serve the Prince of *Parma*,* or whither Dr. *Allen* should direct him for the Cause-Catholick.[26]

My Lord said also, he was going away for fear of some Statute should be made in the 22d[27] of this Queen's Reign against the Catholicks in that Parliament; and that Dr. *Allen* advised him that he should not go over, if he could tarry here in any safety,† because he might be the better able to make a Party in *England*, when they came.

Before my Lord's going to Sea, he wrote a Letter to be given to the Queen‡ after he was gone, wherein he found fault with her hard dealing in giving countenance to his Adversaries, and in disgracing him; and that he was discontented with the Injustice[28] of the Realm towards his Great Grandfather, his Grandfather, and his Father.

My Lord said, Holinshed§ was faulty, for setting forth in his Chronicle, that his Grandfather was attainted by Act of Parliament, but shewed no cause wherefore.[29]

He said, in his Letter, his Grandfather was condemned for such Trifles, that the People standing by were amazed at it; he found fault also with the Proceedings against his Father.

Whereby 'tis apparent, said Mr. *Popham*, 'twas Discontentment moved my Lord, and not Religion: and fearing lest his Friends should think amiss of him, he left a Copy of his Letter with *Bridges* a Traitor[30] to be dispersed to make the Catholicks to think well of him; for, said Mr. *Popham*, being discontented he became a Catholick, and being so great a Man he became a Captain of the Catholicks, which is as much as to be a Captain over Traitors.

A counterfeit Letter was made twenty two[31] days before his going to Sea,‖ directed to one *Baker* at *Lynn*, there being no such Man

[25] R.O. 1 and H. *omit*.
[26] R.O. 1 and H. *add*—This was justified.
[27] The three M.SS. *read*—27.
[28] Injustice. R.O. 1 *reads*—Justice, but H. and L. read Injustice. *After*—Father, H. *adds*—with much more therein conteyned.
[29] But shewed. R.O. 1 *reads*—but he shewed.
[30] Traitor. L. *adds*—by way of a libell.
[31] Twenty-two. H. and L.—xiiij.

* "To serve the Prince of Parma" looks like an inserted phrase; it is not suggested by what we know of the earl's examination (pp. 114, 270*n*).

† Weston (*above*, p. 97) reports that Allen had advised the earl to fly. But this divergence may be only apparent. The advice is here given conditionally.

‡ The letter to the Queen is given *above*, p. 101.

§ The *Letter to the Queen* and *Holinshed* both, and correctly, speak of the attainder of his great-grandfather.

‖ Besides what was said, Introduction, § 19, of the effect of this evidence, the following details about the date should be considered. Y. 1 says it was found in Norfolk and dated the last day of March. Here in *State Trials* it is said to be made 22 days before the earl's going to sea; but the same account in the Harleian MS. says 14 days, which correction fits in with 14th April as the date of commencing his flight. Here it is directed to Lynn, which if it is King's Lynn, is in Norfolk, and to a fictitious Baker; whereas according to R.O. 2 it was addressed to "Thos. Smith his botleman." In the *Life* (p. 115) Dyx is the addressee. R.O. 2 says it was dated "19 April being fourteen days before his departure"; a clear mistake.

abiding ;[32] wherein was signified, that my Lord was very hardly dealt withal by some of the Council, and that he was gone into *Sussex*, and a farther Voyage, and that he would come home by *Norfolk*.[33] This was a counterfeit Letter, said Mr. Attorney, appointed by my Lord to be dispersed,[34] to make it known he was discontented.

Also *Allen* sent a Letter to the Queen of *Scots* in Cyphers, shewing a great Party in *England*.*

Allen sent my Lord word, if he did come over, he must take a greater Title than that of Earl upon him, and therefore addrest my Lord in this Stile, To *Philip* Duke of *Norfolk*, Earl of *Arundel*.†

Babington in his Examination said, the Queen of *Scots* sent him word that the Earl of *Arundel* was a fit Man to be a chief Head for the Catholicks.‡

Allen sent word to *Rome*, that the Bull which was last[35] sent over into *England*, was at the Intercession of a great Man in *England*. § My Lord (said Mr. *Popham*) was one of the principallest, and acquainted thus far with *Allen* ; *Ergo*, my Lord of *Arundel*, that great Man.

Dr. *Allen* made a most villainous and slanderous Book, which was very hard to be got, in which was contained, That the Earl of *Arundel* was a Procurer of the last Bull, and the Procurer of the Invasion also.[36] The Bull itself was some part read, and the Book was part read also.

My Lord being charged on his confession[37] being examined, why he would be ruled thus by Dr. *Allen*, he excused it by saying, That he said he would be ruled by *Allen* in all things, saving in that did

[32] Abiding, the MSS. *read*—being no such man there.

[33] Norfolk. L. *adds*—to the comfort of all true Catholiques.

[34] Dispersed, the MSS. *read*—sent ; and L. *adds*—to make the Catholiques to think well of him and to him.

[35] Last. R.O. 1 *omits*.

[36] And . . . also. R.O. 1 *omits*.

[37] Charged . . . confession. L. *omits*.

* The only letter which we know, from Allen to Mary, dated 5 February, 1585, was deciphered by Philippes, R.O. *Mary Queen of Scots*, xvii, n. 74, *Cardinal Allen's Letters*, p. 247. It does not speak of affairs in England, nor shew any great party there, though it does refer to hopes of help from the Prince of Parma.

† On the alleged use of the Title " Duke," see *Introduction*, §10.

It is quite likely that this alleged address is in reality the same thing as the paper said to have been found in the Earl's cloak-bag, directed—Philippo, Duci Norfolciæ, and said to have once contained rosary beads. See pp. 240, 282, and for the style see pp. 32, 199.

‡ See *above*, p. 147. In point of fact Mary did not name any leaders, but suggested that Babington might " sound Arundel obscurely," and " name captains in every shire in case a chief general cannot be had." In the result Babington says " he never knew him [Arundel]," *ibid.*, and that " the means for his liberation out of the Tower could never be advised."

§ The words of the falsely called Bull are quoted in the indictment, l. 50, where the Pope is said to have been moved by the instance, not of one, but of " sundry the most principall personnes of the cuntryes of England and Ireland." p. 228. See also *Introduction*, § 15. For " the Bull " and " the Book " see p. 167. The Earl is not even mentioned in either. So the inferences of the ensuing paragraphs have no foundation.

concern her Majesty and the State ; and thereupon appealed to my Lord Chancellor, and Sir *Walter Mildmay**, who were not present.[38]

The book aforesaid intended, that my Lord was a Practiser with *Allen* about the Invasion.

Then said my Lord, he would serve the Queen against all Princes, Pope or Potentates whatsoever.

[Egerton the Queen's Solicitor.]

The Queen's Sollicitor[39] stood upon these Points ; and because it was proved, that the Earl of *Arundel* would be ruled by *Allen* in anything that should concern the Catholic Cause :

And for that Dr. *Allen hath* since that time practised divers monstrous Treasons, and continually hath built upon the help of some chief Man in *England*, there is none yet known of his degree, that hath anything to do with *Allen* : and therefore my Lord must needs be culpable of all the Treasons *Allen* hath practised and procured, in flying to *Allen* to serve the Prince of *Parma*, *ut antea*.

My Lord was charged with relieving of divers Traitors, as Priests [Proved][40] : and that he did converse, and was confederate, with divers and sundry Traitors attainted, indicted and suspected, being Prisoners in the Tower [Proved], and that he had Mass in the Tower, and that if the *Spaniards* should surprise the Tower, Sir *Owen Hopton* should be put to the Rack-house [Proved].†

He was also charged, That divers Papists, Seminaries, and such-like, being Prisoners in *Newgate*, and other Prisoners, reported, that they

[38] L. *reads*—Mr. Popham said that my L. Chamberlain was one of the commissioners for the examination, and was then there present, and therefore he desired my Lord Chamberlain to report upon his honour if he heard the Earle say so or no ?

My L. Chamberlain stood upp, and said he did not remember any such words, but if it were so, it was to be seen in his examination, where the earl had written his own name

The examination was openly shewed, but no such words there specified, and the Earls name was at the same.

Then said the Earl he would serve the Queen against all Princes, Pope or Potentates whatsoever.

Mr. Popham said he would do soe, if they came not to fight for the Catholique cause. To this the Earle answered little.

Then did Mr. Egerton the Queen's Sollicitor.

[39] Sollicitor. R.O. 1 *reads*—And because the Queen's learned councel, *and has the mark* ¶ *in the margin*. See below note 49, and above *Introduction*, under TEXTS, p 247.

[40] Here, and at the end of several of the following sentences, the manuscripts have the word, " Proved," to indicate that, in proof part of the examinations were read. L. gives this thirteen times, H. eight times, R.O. 1 six times.

* See variant readings, and Introduction p. 242. The Chancellor Hatton, whom the earl always regarded as a friend, was present at many of the examinations. Sir Walter Mildmay we know took part in those printed *above* xxviii, but no matter of this kind is there touched upon. Mildmay died the following 31 May, and illness may account for his absence.

† See *above*. Sir Owen Hopton, Lieutenant of the Tower, was standing beside the prisoner at the bar.

hoped to see the Earl of *Arundel* king of *England* and that Cardinal *Allen* should direct the Crown of *England*. [Proved.]*

Before the coming of the *Spaniards* Fleet, when our Commissioners were in the *Low-Countries* news was brought to the Tower, that we should have Peace betwixt *Spain* and *England*; then would my Lord of *Arundel* be pensive.[41] [Proved.]†

When the *Spanish* fleet was upon our Coast, and news was brought to the Tower, that the *Spaniards* sped well, then the Earl would be merry. [Proved]. Then when the news came, the *English* Fleet sped well, the Earl would be sorry. [Proved.]

When the news came, the *Spanish* fleet was come upon the coast of *Kent*, my Lord said, It is a great Wood, and a puissant Fleet. We shall have lusty Play shortly. I hope we shall plague them that have plagued us. [This was also proved.]

My Lord said, He would not fight against any that came to fight for the Catholic Faith.

He said when the *Spanish* Fleet was at Sea, he would have three Masses a day for the happy Success of Spain. [Which was proved.]

He said also, He would have continual Prayer without ceasing for a time, for the good Success of *Spain*, viz., he would have every‡ twenty four hours five Priests to pray two hours a-piece for the defect of Laymen,[42] and fourteen Laymen to-pray every one an hour a-piece for the happy and fortunate Success of *Spain*. [Proved.]

He made himself a special Prayer, for that purpose, and caused Copies thereof in haste to be made. [Proved.]

Mr. *Shelley*, then Prisoner in the Tower,[43] told my Lord, that to exercise that prayer were dangerous, and wished my Lord to let it alone: Therefore my Lord called for the Copy of the Prayer again, and would not have it copied. [Proved.]

He was charged, That he did conjure Sir *Thomas Gerrard Kt.* to keep Counsel in all these Matters before set down, who promised him, he would. [Proved.]

[41] Before . . pensive, 5 lines. R.O. 1 and H. *transpose*—this paragraph later.

[42] For the defect of Laymen, the MSS. *omit.*

[43] Then prisoner in the Tower. R.O. 1 *omits.*

* Before coming to his main point, the alleged prayers in the Tower, Egerton is here exciting ill-will against the Earl, by charges which were rather odious than grave, though hard to repel. Elizabeth's curious crank of leaving the succession to the crown after her death an open matter, which however no one was allowed to discuss, of course gave rise to *sotto voce* discussions everywhere. The accusation here is from the evidence of Justice Young. See pp. 288, 307. It seems also in Y. 2, p. 286, to be drawn from Typping and Hewett. The Earl's denial at his examination that he had spoken of Allen as having the disposal of the crown is printed *above*, p. 192.

† The charges which now follow are drawn from the confessions of Bennet and Gerard, and "proved" by citations from the confessions. It is assumed that the confessions are spontaneous, and above suspicion; and they are interpreted on the principle that "Catholic Cause" meant "treason" in the Earl's mind.

‡ Every. This is a reporter's error.

Bennet also promised to keep his Counsel, and divers others. [Proved.]

Then were Sir *Thomas Gerrard*, Mr. *Shelley*, *Bennet* the Priest, and divers others [Proved], removed from the Tower to several other Prisons, and upon Examination, confessed all[44] as aforesaid. [Proved.]

My Lord hearing all these Matters laid hard against him by Mr. *Sollicitor*, grew into some Agony, and called for his Accusers face to face; which the learned Counsel[45] did not yet yield unto.

He was likewise charged, That he came once merrily to *Bennet* the Priest in the Tower, saying, *Come, Mr. Bennet, let us go pray, that the* Spaniards *may beat down* London Bridge; and promised to give him a Damask Gown shortly, and that he hoped to make him Dean of *Pauls* e'er it were long: that the time of their Delivery was at hand, and willed him in any wise to be secret, for, if he should reveal these things, he would deny them to his Face. [Proved.]

When news came to the Tower, that the *Spanish* Fleet was driven away, my Lord said, *We are all undone*; there is no hope for us this Year, and the King of Spain cannot provide such a Power again these five or six Years, some of us may be dead and rotten ere that time. [Proved.]

[Evidence.]

There were then brought into the Court, *vivâ voce*, upon their several Oaths, *Anthony Hall*, and *Richard Young*, a Justice of the Peace,* who aimed something by hearsay to the Proof of the former Matters.[46]

Also Sir *Thomas Gerrard*, *William Bennet*, *Tuchnor*, *Snoden*, and *Ithel*, and divers others, were closely kept in a place over the *King's-Bench*, closed in with Arras,[47] and were thereupon severally called into Court,[48] *vivâ voce*, upon their several Oaths, to affirm that, which is specified before; sithence Mr. *Sollicitor* began to speak,[49] how this

[44] All. R.O. 1 *omits*.

[45] Learned Counsel. H. *reads*—Lords of the Council R.O. 1 *omits*—yield unto.

[46] There . . . Matters. The MSS. *omit*.

[47] Closed . Arras. R.O. 1 and L. *omit*. H. *reads*—hanged about with arras.

[48] Called into court. L. *reads*—Sir Thomas Gerrard came into the courte face to face to give evidence against the Earle, and iustified all that was declared by Mr. Sollicitor *ut antea*.

Then told Sir Thomas the Earle, that true it was that he had given him his hand to keepe his counsell in these matters, and that he waaded too far in them and waying with himself how hainous the matters were, calling to mind his duty to his prince and country, he did as he ought to doe, noe lesse, upon his examination, open unto some of her Majesty's most honourable privy councell all that which belonged to him to reveale for the discharge of his conscience and duetie, and therefore said Sir Thomas, "I beseech your Lordship, pardon me." Then the Earle told Sir Thomas he was an uniust man, and a man indicted, and that he was a man of little credit, &c.

[49] Speak how this Mark. R.O. 1—speake at this mark ¶; H.—from the beginning of Mr. Solicitor's last speeches; L. speake at this mark; *but no mark is given*. On the significance of this see *Introduction*, p. 247.

* They supported the charges specified in note * opposite.

Mark *Bennet* the Priest[50] was charged with a letter written to my Lord, wherein he should be sorry for the opening of these Matters as aforesaid against my Lord.

One *Randal* had writ this letter in *Bennet's* Name, by advice[51] of my Lord of *Arundel*, to blind his Practices. *Bennet* openly denied the writing of that Letter;[52] whereupon my Lord *Grey* and my Lord *Norris*[53] asked *Bennet*, if he knew of the Letter, yea, or no? For their better Evidence *Bennet* confessed, he had been moved to such a Matter, but he did it not.*

Against Sir *Thomas Gerrard*, my Lord stood very stoutly in denial of what he witnessed, willing him to look him in the Face, and charging him as he would answer before God, in whose Presence he spoke, to tell nothing of him but Truth. In answer whereof, Sir *Thomas* referred further to his positions before read, to which he said he was sworn; yea, twice sworn.[54]

There were called into the Court two Witnesses more, *viz.*, one *Walton*, and one *Church*, who justified Letters were brought from *England* to *Reames*, where they both were; which Letters were sent by one *Hill*,[55] one of my Lord's Faction, that the Earl of *Arundel* should be General of the Catholicks, when the Tower should be surprised.

To *Walton*, my Lord took exception, affirming, that he was a naughty lewd Fellow, who had sold that little land he had to three several Men,[56] and of the other witnesses he said, that some were attainted, some indicted, bad Men and Prisoners, and that their Words were worth little Credit.

Then said Mr. *Popham*, They were never tortured, but confessed all this willingly, and they are such, as you have accompanied.

[Close of the Trial.]

Here ended every Man's speech, and the Noblemen and Peers of the Jury went together.

My Lord humbly having submitted himself to the Consideration of his Peers, with Protestation of Loyalty[57] the Lieutenant brought

[50] Bennet the Priest. L. *reads*—Bennet the priest, being called into the courte before the Earle face to face was charged by the Earle that he should send him a letter wherein he should declare that he was heartily sorry, that he had done the Earl wrong in accusing him wrongfully. Such a letter the Earl shewed.

[51] Advice. L.—appointment.

[52] Letter. H. *adds*—but confessed the knowing of it; L. *adds*—and said the Earl went about to cast him away.

[53] Norris. H.—*omits*; L. *reads*—Norris stood up and willed Bennet to be plain and to deliver the truth whether he wrote the letter or no, for their better evidence [H. *ends here*].

Bennett upon his oath denied the writing of this letter, but confessed, &c.

[54] Against . . . sworn. All three MSS. omit this paragraph.

[55] Hill. R.O. 1 and L. *insert*—James.

[56] To Walton . . . several men. The MSS. *omit* this paragraph.

[57] My Lord . . . Loyalty. H. *omits*.

* This account is not truthful. See p. 201. If Bennet had even now, *when asked to do so*, told the whole story from the beginning, giving a full account of Waad's strong pressure—how different the issue might yet have been.

him from the Bar[58] unto a Seat near unto the Court of *Common-Pleas*, where the Warders attended upon him.

My Lord Steward likewise withdrew himself a little while, as it seemed, to take some Refreshment; having all the day for the time of his Business, forborn to eat any thing; and presently returned to his Seat of State.[59]

Within one hour after the Noblemen of the Jury came every one back, and were again placed by Garter King at Arms.

Then Mr. *Sandes* asked every man of the Jury, severally, beginning at my Lord *Norris*, the youngest Baron, and proceeding to my Lord Treasurer, the Foreman, whether the Prisoner were Guilty, yea, or no?

Which every one of them, laying their Hands upon their Hearts, did protest in their Consciences, and upon their Honours, that he was Guilty.

Then was the Lieutenant called to bring his Prisoner to the Bar, who was brought accordingly, attended as before.

Then said Mr. *Sandes* unto him, That he had been indicted of several Treasons, and that he had put himself upon the Trial of his Peers, who had found him Guilty; and therefore asked,[60] why Judgment should not be given against him.

Whereupon my Lord making three very low Obeysances upon his knees, did humbly submit himself to my Lord Steward's Grace, and the Favours of the rest of the Nobles and Peers there present, and besought them to be Mediators for him, that he might obtain at her Majesty's hands, to have order taken for his Debts, and to have Conference with his Officers, and to talk with his Wife, and to see his Infant, born after his Imprisonment, whom he had never seen.

Then my Lord's Grace pronounced Judgment, *viz.*, That he should be conveyed to the Place from whence he came, and from thence to the place of Execution, and there to be hanged until he were half dead, his Members to be cut off, his Bowels to be cast into the Fire, his Head to be cut off, his Quarters to be divided into four several parts, and to be bestowed in four several Places; and so (said my Lord Steward) the Lord have Mercy on thy Soul.

To this the Earl of *Arundel* said, as it were softly to Himself, *Fiat voluntas Dei.* And so having made a low Obeysance to the State, the Lieutenant took him away; Mr. *Shelton* going before him with the edge of the Ax towards him.*

Then there was an O Yes, made by the Serjeant at Arms, and the Court, together with my Lord Steward's Commission, dissolved: which done, my Lord of *Derby* took the white wand out of Mr. *Winkfield's*

[58] Bar. H. *adds*—accompanied as at first.

[59] My Lord . . . State. H. *omits* the paragraph.

[60] And therefore asked him. H. Then he willed him to say what he could for himself.

* This axe may well be the same instrument as that with the long handle, still shown in the Tower of London. The short-handled axe, with a heavy head, so frequently engraved, is much later, and not adapted to beheading a man lying prone, as was then customary.

Hand, and broke the same in pieces; and every Man cried, *God save the Queen.*

Whereupon the Earl of *Arundel* was carried back to the Tower, where after several Reprieves he died a natural Death, *October* 19, 1595, having been Prisoner there ten Years and six Months; four Years whereof passed before he was brought to his Trial.*

2.

REPORT IN YELVERTON MANUSCRIPTS. (Y.1.)

Yelverton MS. xxxiii, ff. 74 to 80*a*. This is in several ways the most valuable account we possess. It seems to have been revised by some one who well understood the case against the Earl, perhaps by Waad himself. It is the most reliable for the sequence of events, and explaining the arguments of the prosecution.

THE ORDER OF THE ARRAINEMENT of Philipp, Earle of Arundell at the Great Hall at Westminster on Monday, the 14th of Aprill, 1589, before Henry, Earle of Derby, Lord High Steward of Englande, for that tyme and purpose.

The Scaffold being made at the upper ende of the hall on the left side by her Majesties bench, where a Clothe of State at the upper ende of the Scaffolde under whiche the Lord Steward did sitt, and Seates on bothe sides for Peeres underneathe, did sitt on the right hande of the Lorde Stewarde—Sir Francis Knowles and Sir James Crofte Knights, Treasurer and Comptroller of her Majesties housholde, Sir John Perrott Knight, Mr. Wolley Secretarie to the Latine tongue and Mr. Fortescue, Master of the Great Wardrobe, of the Privie Counsell, that were in Commission for the finding of the Indightment,

And on the left hand of his Lordship satt the two Lord Cheefe Justices, the Master of the Rolls, the Lord Chefe Baron, Serjeaunt ffletewood and Mr. Rookbie Master of Requests who likewise were in the same Commission. From the square scaffold where the Lord Steward and Peeres did sitt (it was the breadth of 20 foote) scaffold allmost to the dore coming in about the hight of five foote from the grounde.

The Lord Steward being sett and the Peeres on bothe the sides in their places and degrees, about 8 of the clock in the morning, a sergeaunt at Armes made an oyes for silence. The Commission from her Majestie to the Lord Stewarde was openly redd by the Clerke of the Crowne office, and that redd, a white rodd of three yardes in length was deliuered to his grace, and from him to Mr. Wingfield one of the gentlemen ushers. After that Mathewe Spencer Sergeant at Armes was by another Sergeante at Armes called to returne his precept for the summoning of the peres, who deliuered the same to the Lord Stewarde and his Grace to the Clerke of the Crowne, whiche was by him also redd withe a lowde voice. The Clerke of the Crowne satt in a square place cutt out of the Scaffold a two yardes from the Lord Stewarde. Then an oyes was again made by a Sergeant at Armes and the Marquesses, Earles and Barons willed to aunswere to their names, whiche were called in this order.

* This paragraph is evidently of much later date.

William, Lord Burleighe, Lorde Highe Treasorer of Englande.
William, Marquis of Winchester.
Edward, Earle of Oxforde.
Henrie, Earle of Kent.
Henrie, Earle of Sussex.
Henrie, Earl of Pembroke.
Edward, Earle of Hartford.
Henrie, Earle of Lyncoln.
Henrie, Lord of Hunsdon.
Peregrine, Lord Willoughbie of —— [*blank*].
Edward, Lord Morley
William, Lord Cobham.
Arthur, Lord Gray of Wilton.
Jhon, Lord Darcy of the North.
William, Lord Sandes.
Henry, Lord Wentworthe.
Robert, Lord Rich.
Charles, Lord Willoughbie of Parham.
Roger, Lord Northe.
Jhon, Lord St. Jhon.
Thomas, Lord of Buckhurst.
William, Lord de la Warr.
Henrye, Lord Norrys.

After all the Lordes had aunswered to their names, as they were called in their degrees, Mr. Treasorer* withe his fellowes was commanded to returne his writt, which he did and withall deliuered the Indictment into the Court. Then Mr. Wingfield standing below at the fete of the Lord Steward a little on the one side towards the left hande held the rodd upright in his handes. The Clerke of the Crowne redd the writt. An oyes was againe made by a Sergeante at Armes, and the lieutenant of the Tower was called and commanded to returne his writt of Habeas corpus and to bring forthe the Earle of Arundell his prysoner. The lieutenant brought the Earle to the Barr, having the axe caryed before him by the gentleman Porter of the Tower, the edge from him, and Sir Drue Drury, knight, and Mr. Henrie Broncker her Majesties servaunt did bothe of them accompanie the Earle. The lieutenant presented his prisoner at a Barr over against the Lord Stewarde where a square place was made for the prisoner and those who had charge of him to stande aparte and at ease, and there stood a grome of the chamber with bottles of drinck, whiche the Earle oft did use. The Earle at his first comminge to the Barr viewed all the noble men on bothe sides of the Court conveying his eye from one to one. And not knowing the Lord Darcye† asked who he was, whiche being tolde him, it is well (quothe he). The aunswere of the lieutenant was redd that he had the bodie of the Earle there present. Then the Clerke of the Crowne called him by the name of Philipp Earle of Arundell, late of Arundell to holde up his hande and arme, and [he] saied alowde, here is as trew a mans hande as ever came into this hall. That shall

* The treasurer of the household, Sir Francis Knollys.

† John Lord Darcy had only succeeded in 1587, since the Earl's imprisonment.

appeare anon, saide her Majesties attorney, who withe the two sergeaunts and Her Majesties Sollicytor satt within the Court, their Backs to the Earle under the barr where the prysoner stood, withe their faces toward the Lord Steward. What saiethe Mr. Attorney (quothe the Earle) the Attorney repeated the wordes, Well, saythe the Earle. Then the Clerke of the Crowne redd the returne of the Commission and the indictment.

[The Indictment.]

The indightment being redd which conteyned these points [*A blank from the middle of fol.* 75 *to middle of* 75B.]

[Pleading.]

The Earle was called againe, and was told how he was indighted of highe treason, and was asked of the Clerk of the Crowne, whether he was guiltie or not guiltie. Before he did aunswer guiltie or not guiltie, he did desire to knowe the opinion of the judges, whether it were according to law or not to have so manie matters conteyned in one indightment. Wherin he was resolued by them.

He asked another question, whether arguments uppon Implication are good in the Indightment. It was tolde him when he cam to aunswere, he might then take exception to what he thought good.

Then he propounded a third doubt, whether, if he were to be charged withe these matters that were made Treason by the Satute of the xiiijth of her Majesties raigne, if the time limited by the Statute to enquire of these matters were expired, and the enquiry not made within the tyme accordingly, Whether in law he could be arraigned uppon those matters ? It was thereupon tolde him that all the Treasons wherwithe he was charged were Treason by a Statue made in the xxvth of Edward the third, and, as the Lord Chefe Justice of the common plees said, before that tyme, by the ancient lawes of the Realm.*

Then being againe asked if he were guiltie or not guiltie, he againe having looked in his tables asked if the dayes and places were mistaken in the Indightment, whether it were goode in lawe. Whiche was told him not, to be materyall, but the fact itself to be considered.

Then the third tyme being asked whether he were guiltie or not guiltie he aunswered—not guiltie. The Clerke asked him againe, how wilt thou be tryed ? How must I saye, said he ? It was tolde him by god and his peres. Then he said,—Why by God and my Peerse. Againe calling himselfe to mynde, he made a suite to the Lord Steward because he had been xxv wekes kept close prysoner, that

* Nothing could show more clearly than this answer of the judges how utterly law had been divorced from justice. The Earl's principal offence had been his return to the religion of Edward III and this is now declared to be treason by the laws of Edward III. If they had tried to explain themselves they would probably have said that, even in his conversion the Earl had acted, not from conscience, but from treasonable motives. That hypothesis however, being quite contrary to appearances, needed extremely detailed and cogent proof. In fact, however, Popham did not attempt to give such proofs. He appealed for count three to prejudice and fanaticism. The earl repeatedly protested that conversion was not a renunciation of allegiance. The only answer was the *Bloody Question* ! See *Introduction,* p. 242.

tedious speches might not be used for confounding of his memorie, but that he might aunswer to everie matter as it was obiected against him.

[Sergeant Puckering.]

Sergeaunt Puckering was commanded by the Lord Stewarde to procede, who tooke the prosecuting of the first parte of the Indictement conteyning the Treasons of Allen,* how he was outlawed and indighted for many Treasons. The proclamation† sett forthe by her Majestie shewinge how daungerous persons the Jesuitts were, being Instruments of all Treasons, and therefore warning her subiects to take hede of them, and then declared the dealing of the Earle withe Allen, being a Traytor, to receyue letters from him and to sende letters to him.

The Earle wrote to Owen‡ that he marueiled nothyng more was done in the Catholike cause, whiche was urged, he must neades meane for invasion of the Realm, whiche the Earle said he ment by those wordes of Catholike cause to haue men converted to the Catholik faythe. Whereuppon Mr. Attorney tooke occasion to proue it could not be ment of convertinge by Instruction but by force of Invasion.

Confessions of Paine, Savage, Babington and Throckmorton were redd provinge the pourposes of Allen to further the deposinge of her Majestie and bringing in of forren powers.

[Sergeant Shuttleworth.]

Then Sergeaunt Shuttleworthe shewed withe whom the Earle had ben dealt withall, and whereuppon he dealt withe them, he shewed for what ende the Jesuits and Seminaryes were sent into the Realme. The proclamacion against the receauing of them. To what ende William Weston [and] Bridges came into the Reame. His lordship was at the arrainement of Campion,§ and at the condempnation of Valenger‖ in the Starr Chamber, where those kinde of Treasons were layd open. Where the Earle used these wordes, that whosoeuer was an arrant Papist must nedes be a Traytor. He shewed also how reconciliation was Treason, and that the Earle knowing these thinges receaued these men and was reconciled by them.

There the Earle asked how he could proue he was reconciled, sayinge it was Treason, and therefore denyed it and badd them proue it.¶

* The first count of the indictment, lines 1 to 18.

† The proclamation mentioned in the indictment, lines 20, 21.

‡ Hugh Owen was a Catholic exile, much trusted by the Prince of Parma, Cardinal Allen and Father Persons. Later on he was groundlessly charged with part in the Powder Plot. The Attorney-general here furnishes a flagrant instance of the unjust wresting of words from their plain and avowed meaning to bear a forced and sinister interpretation, which alone could make them matter of accusation. The letter itself was never produced, or recited. It was presumably only known by hearsay.

§ For the earl's presence at Campion's public disputation, see *above*, p. 32. The interest aroused may have led him to attend the trial of the martyr, but we do not know of the fact except from these reports, the reliability of which is disputable.

‖ *Above*, pp. 33, 337.

¶ Reconciliation had been made treason. People who held that, were bound *to prove* their point. Here we have the twists and arguments of the prosecution to show that they are not persecuting, but acting in self-defence against one who has become a subject of the Pope.

The Earle associated himselfe to Allen an Archtraytor, offered himself to be at his direction, receauved preists sent from him, was reconciled to them, and every man that is reconciled dothe submitt himself to the pope.

Then the Earle said he neuer did submitt himself to the pope. It was alledged that no man was admitted amongst them to the sacrament unlesse he be reconciled, but his lordship was by Grateley and others admitted to the Sacraments and therefore must nedes be reconciled.

Here the Lord Chamberlaine* at the denyall of the Earle to have submitted himself to the pope, said, at the examination taken by him and the rest of the Lordes at the Tower, he shewed as ill affection as reconciliation, for being asked what opinion he held of them, that would take armes and partie withe the pope against the Queene, or the kinge of Spaine invadinge the Realm by authoritie from the pope, if he would not saye they were Traytors: he refused flattly to aunswere therunto. And being there likewise asked againe the same question, he refused to make anie direct aunswer.

[Mr. Popham Attorney General.]

Mr. Attorney then rysing insisted to proue the Earle reconciled, and shewed a letter of his owne hande to proue he was confessed and absolued and prosecuted his former pourpose to escape the Realme and to be at the direction of Allen to thende to returne with forren power to invade the Realme and destroye her Majestie, and to proue the Earle guiltie of Treason before his apprehension in thus confederatinge himself with Allen.

A letter of Gratleys was redd.†

Morgans letter to the Scottishe Quene.

Edmondes Confession the Jesuite.

The Earles letter to the Quene.

And specially Mr. Attorney beganne to shewe that the Earle used Religion for a cullor to serue to his ambition, for not long before his discontentment he used openlie in the Starr Chamber at the condemnation of Valenger these wordes, that Whosoeuer was a Papist in deede could not but be a Traytor.‡ The Attorney shewed how treasons in this age are all together cullored by the vayle of religion and it appeared that discontentment was cause of his going over. By his owne letter he proued also that the Earle bare shewe of a Protestant

* For a different account of the matter upon which Hunsdon here intervenes against the accused, see *above*, p. 191 from *Life*, 86–7 and Waad's account p 184. This is the "bloody question" which it would be superfluous to put to the faithless or disloyal, but which was designed in order to cause the mob to regard sincere Catholics as traitors.

† Gratley's letter is lost; Morgan's is probably that commending Grately though on mistaken grounds (*above*, p. 150); Fr. Weston's confession means quite possibly no more than we have in another report, *below*, p. 279; the letter to the queen is printed *above*, pp. 101–108. These four documents are used here simply to prove the Earl's conversion, labouring a point which he confessed, though not in the sense they intended. The missing letter of Grately can hardly have contained proof of intent to invade, &c., charges which the other three papers do not support in the slightest.

‡ See *above*, p 184.

and had publique prayer in his house when he had secret conference withe priestes.*

Further Anthonie Hall† was brought in to testifye what he had heard of the priestes & seminaryes he caryed ouer the sea being banished, whoe confessed the Earle to be a papist allthoughe he made shewe to be a protestant.

He alledged also for proofe the thinges founde in his Troncke, sett forthe in paintinge in one side of a shete of paper was a hande that had ben bytten withe a viper, and shooke the viper into the fire, with this posey: *Si Deus nobiscum quis contra nos*; on the other side a lyon, being his crest, withe the *et tamen leo*.

Parte of the examination of the Lord William his brother was redd, and of his syster the Ladie Margarett whiche were taken when his Lordship would haue fledd the Reame.‡ He shewed, where the Earle alledged that thoughe Allen was a traytor how they could proue that he knew him to be one, that the Earle could not be ignorant thereof because his Lordship was presente in the Starr Chamber when the Treasons of Allen were laied open. And uppon Allens saying, when the motion was made for his Lordships repaier thither, that he would haue no idle persons, his Lordship promised to do what Allen should direct.

Mr. Attorney shewed likewise what was to be entended by the Catholike cause,§ beinge expounded by the Councell of Trent to be the pourposes of the Holie League. And therefore his Lordship finding fault that nothing was done in the Catholike cause coulde not but shewe his badd mynde towards her Majestie, and the subversion of the Reame to further the entended invasion, and meanes was wrought to make a partie in Englande.

In Sommer anno 26° of her Majesties raigne, to whiche ende his Lordship sent over Bridges and sought twise to goe beyonde the seas his Lordship founde great fault withe Allens slownes, wheruppon he wrote to Allen to awake him, the slownes was because their purpose was not executed. Then the examination of the Earle that was taken at his apprehension when he would haue gon forthe of the Realm was redd where he shewed greate stomack, discontentment and a malitious mynde.

* The letter to the Queen contains nothing to this effect. We know there were chaplains "put to" the Earl by the bishops of the dioceses in which his great houses stood. The *Life*, pp. 184–185, tells us that the Countess after her own but before her husband's conversion told the Chaplain not to hold the service he was preparing on the Sunday. During the week the Earl came down from London, and to her joy did not mention the matter though the Chaplain had represented that the Earl had expressly sent him down to preach to the Countess and family. Even if the facts were as stated by the Attorney-General, there is nothing of double-dealing in the Earl forbearing to interfere with household prayers as soon as he himself began to interview priests.

† Anthony Hall was really "brought in to testify" at the end of the trial (pp. 261, 288). But the editor brings him in here, because his evidence was read here by Popham (p. 256). In consequence of this insertion the words "he alleged also" seem to belong to Hall. Really they are Popham's. See p. 256.

‡ There are examinations of Lord William printed, p. 119, but they assert ignorance of any correspondence with Allen.

§ See *above*, p. 267 *n.*‡

How gratiously her Majestie dealt withe him at his being before the Lords at the Starr Chamber to haue him called in question only for his contempt and how depe his offence did draw, yet would not haue him touched within that degree otherwise then of necessitie they were compelled to do in opening of the fact.*

The Erle himself confessed also there that he ment to have served the Duke of Parma.†

A confession of Throckmortons was redd. The Erle excused his going over for feare of the strictnes of the lawe in the parliament before against Recusants,‡ whiche was disproued, and diuers parcelles of his letters to her Majestie was redd.

Then the Earle desired to see his examinations saying Mr. Attorney was the Spyder, let me be the Bee, and by some clauses in his examination would haue cullored his going beyonde Sea that only it was for his conscience.

So Mr. Attorney perused the letters of the Earles and shewed by an examination taken that he left that letter withe Bridges and ment it should haue ben dispersed and imparted to his frendes and in deede so soone as he was departed a number of copies was given forthe. At that instant also was a letter founde in Northfolke of the last of Marche, shewing his departure uppon discontentment, and that his frendes should looke for him againe to returne shortly in Northfolke or Suffolk to the comfort of the afflicted Catholikes and praye for his good successe, that letter was suspected to be of his owne hande.§ Allens letter to the Scottishe Queene did importe that an invasion should haue ben that sommer the Earle attempted to escape. A letter also of the Byshopp of Rosses was redd wherin he assured that after the Guyse had ended in Fraunce he ment to deale withe England. There was found in the Earles cloke bagg the Tytle of Philip Duke of Norffolk, and Allen persuaded him to take a greater tytle.

An examination of Babingtons was redd, wherby it appeared the Scottishe Queene would haue the Earle of Arundell to be sounded.‖

Then the Bull of excommunication against her Majestie was redd and divers passages out of a villanous booke sett forthe by Cardinall Allen, whereof a great nomber were printed in Antwerpe, and one copie only recouered by meanes of one that serued the presse, who at the printing did allwayes convey a shete of euery leafe in his bosom, and when the booke was finished conveyed him self awaye and brought the booke to Mr. Henry Killigrewe Counsellor for her Majestie for the States,

* On the gross flattery used here by Popham. See *above*, p. 138.

† The foundation for this statement cannot be traced; it is not in our accounts of the Earl's examinations, nor in the Star Chamber proceedings, nor here in court; was it in the counterfeit letter?

‡ The law of 27 Eliz., December, 1584; Jesuits and seminary priests were to leave the kingdom within forty days, under the penalty of treason; to aid or receive them was made felony.

§ The letter to Baker of Lynn, see *above*, p 245.

‖ As to the four pieces last named (1.) Allen's letter to Mary. See *above*, p. 258. (2.) The Bishop of Ross's letter I cannot place. (3.) Is the alleged paper to have contained grains sent by the Pope to Philip under the title of Duke, which however was probably not found in the Earl's trunk, but in that of Burlacy, see p. 241*f*? (4.) Babington's words have been quoted above, p. 147.

contayning most villanous matter, and should haue ben dispersed at the tyme of the Invasion,* by all whiche proofes he did argue the Earle to be guilty of Treason before this committement to the tower.

[Mr. Solicitor Egerton.]

Then Mr. Sollicitor being the last of her Majesties Counsell verie eloquently, pithilie and shortly repeated the substance of the former allegacions to proue the Earle guiltie of the Treasons contayned in the Indictment before his Committement and then tooke to prove and laie forthe his Treasons sithence his committement to the Tower. And shewed there was a tyme before the Spanishe flete came, a tyme when it did appeare, and a tyme when it was ouercom. In whiche tyme he did sett forthe the affection, hope, expectation and actes of the Erle that did concurre to shew his hope depended alltogether uppon the good successe of that Armie, in praying for their good successe, causing publique prayer and Masses to be saied to that ende, and in the greate griefe he uttered at the intelligence of the succes ouerthrowen of that Nauie.

The Chefe points consisted in that he caused Masse to the Holie Ghost to be saied for the good successe of the Spanishe flete and deuised a course of prayers should haue ben continued all the xxiiii howers of the daie and night, for the good successe of the Catholike cause, and for that the proofe of these his practises did depende chefely uppon Sir Thomas Gerrard, Bennett the priest that was his chaplaine and Mr. Shelly, the confessions of Sir Thomas Gerrard and Bennett under their handes, wheunto they were sworne, were exhibited to be redd. But the Erle did earnestly demaunde that the parties might be produced face to face, whiche when the Lord Treasorer† had seemed to allow of, the Lord Steward did yeld unto, and Sir Thomas Gerrard was produced, who seing his examination whereunto he was sworne, protested openly in court that it was his Confession and contained truthe.

The gentleman coming throughe the thronge and being of himself very pursie was also somwhat amased withe that presence. Wheruppon the Earle would haue taken advantage and saye he begann to faynt, for Sir Thomas his face was to the Lord Steward, and would not (as it were) beholde the Earle. Theruppon Sir Thomas auouched his former confessions saying he had confirmed the same withe his othe, and were according to the truthe. Mr. Sollicitor tolde the Erle it was no direct course to daunt the witnesses for the Queene. The Earle also did alledge that Sir Thomas Gerards testimonie was not to be taken because he was indicted. Wherunto the Lord Treasorer did aunswer that thindictment was but an euidence and might be trauersed and so the Erle was likewise indighted.

Bennett very constantly acknowledged his confession to be of his owne hande wryting and to be most true, as he had taken his othe,

* See pp. 166 to 175.

† Lord Derby, presiding over the trial, takes his cue from Lord Burghley, the foreman of the jury; this looks like justice waiting upon politics, but it may be that Lord Burghley is using his power to overrule the opinion of the lawyers that the accused had no legal claim to the production in court of the witnesses.

Wherat the Erle somewhat altered,* for he (as it seemed) had affyaunce in the promis made him by Sir Thomas to kepe his counsell and in a letter of retraction that Bennett had made. Therefore seinge Bennett so constantly to avowe his confession. The Earle tooke out of his sleve a little Tyckett written verie nere (being the copie of Bennetts letter to him procured by Randall, whiche it semed he had caused to be written withe a small hande in a little pece of paper least it should be searched & the originall should haue ben taken from him), that he threwe in the Court and desired it might be redd. Bennett denied the same to be of his handwritinge† and would not affirme that it did consent in all points withe y^t^ he had written out and scribled. And thereuppon the Lord Grey semed, for the clering of the consciences of the Lords, to cause Bennett to utter the truthe‡ of those his contrary confessions, whiche he said he had done uppon his othe confirming the motion made to him by the Erle to haue masse saied of the Holie Ghost for the good successe of the Spanishe flete.

After that Walton§ was produced and sworne (as the rest of the witnesses were) to certeine wordes he had heard Hill utter in Fraunce; and Derbyshere a Jesuite, of the Earles pourpose to take part withe the entreprise for Invasion of the Reame, and one Churche who was present in Callais when certen wordes were spoken by a priest to Walton in the like sense.

The Erle hearing the name of Walton, asked if it were not he that had accused Digbie and said he was a very lewde fellowe in that he had accused Digbie, and had sold his lande to two or three. Walton looking about said very boldly, that he had sworne nothing but truthe, and said, if he should utter all he knewe by the Erle it were to muche to be published. But, said he, how falsely you do accuse me! Here stande before [us], euen by gods prouidence, for I saw them not before, Mr. Fyther and an other he named, to whom the land was solde. Let them tell the truthe, if euer there were anie suche thinge.

The Queenes Solicytor caused an act of parliament to be redd in the 40 yere of Edward the third to shewe that the pope had nothing to doe withe the Crowne of Englande. The Queenes learned counsell, hauing all in order, proued the seuerall partes of the indightment, and the Earle hard in all his aunswers, the Lord Steward, seing the daye draw towards an ende, did aske her Majesties learned Counsell if they had anie more to saye, and after asked the Earle if he had anie thinge els to saye. The lieutenant was willed to withedrawe his prisoner. The Earle going from the Barr said to the Lordes his Peeres. I pray god you maye do

* The dilemma in which the Earl stood when he heard this false witness brought against him by a priest is made very clear in the *Life*. See the passages in his examinations, p. 192.

† There was no pretence made that Bennet actually penned his original letter, much less that he wrote the purposely minute copy of it (*see* p. 287 *n*).

‡ See *above*, p. 262, and note.

§ See pp. 244, 262, 288, 343. Walton reports what he says he had heard *read* (N.B., not "uttered") at Rheims about two years previously from a letter of Hill's written from (?) Paris. Church seemingly gives evidence, purporting that he at Calais had heard much the same matter spoken to Walton by a priest. Father Thomas Darbishire was a very popular old Jesuit Father, generally living at Paris.

that whiche shalbe to the glorie of God, the safetie of her Majestie and benefitt of the Reame, and discharge of their consciences.

The prysoner was by the lieutenant and those that had charge of him, taken from the barr to a place in the nether ende of the Hall. After he was withdrawen the Lord Steward did praye the Lords to goe together to conferr and to doe accordinge as their consciences should leade them. There was a place appointed for them in the Court of Chauncery where they withdrewe themselues and remayned together a large hower; the iudges whiche were sent for to resolue them in some points for the lawe to satysfye their consciences, and cam forthe againe.

When the Lords had agreed of their verdict after an hower and more, they came in againe to the Court and toke their places as they satt before in order. Whiche done the Lord Steward began with the yongest Baron saying how saye you my Lord Norreys, is the prysoner guiltie of the Treasons wherewithe he is charged in the indightment. The Lord Norreys rose up, with his capp in the one hande and laying his right hande on his brest and uppon his harte, sayd: *Uppon my hande he is guiltie of Treason.* And that said he satt downe againe in his place. Then the Lord Steward followed to aske the like of the Lord de la Warr. The Lord de la Warre in like manner as the Lord Norreys, said *Uppon my hande I take him to be guiltie of all the Treasons contayned in the Indictment.* Lord Buckhurst, *Uppon my hande he is guiltie of Treason.* The next, *I think him guiltie.* Some, *I think him guiltie of Treason.* And so varying in phrase all founde him guiltie of Treason. The Lords having all of them given their verdict from the youngest to the Lord Treasorer. The Lieutenant of the Tower was called againe and willed to bring his prisoner to the Barr. Whiche being done as before and silence commanded. Then the Clerke of the Crowne said, Philipp Earle of Arundell thou hast ben indicted of highe Treason and hast ben brought to thy Tryall and diddest pleade not guiltie and diddest put thyself to be tryed by God and thy Peeres whoe have founde thee guiltie of Highe Treason, What canst thou saye for thy selfe why iudgement should not be given against thee as a Traytor. The Erle aunswered nothing in the world but *fiat voluntas Domini.* Then the Lord Steward pronounced the sentence that he shoulde be hanged, drawen and quarterd lyke a traytour his bowells taken forthe and burnt before his face, his head and quarters to be sett upp at her Majesties pleasure and badd God have mercie uppon his soule, and God save the Queene.

After the hearing of the sentence the Earle had three Requests to make unto his Grace. The one because he was greatly indebted to divers persons it would please his grace to be a meane to her Majestie that he might speake with his officers before he died to take order with them for the paiement of his debtts. The other that it had pleased god sithence his imprisonment to sende him a sonne whom as yet he had not seen, he besought her Majestie he might see him and likewyse to see his wyfe whiche fauor as yet he neuer coulde obtayne.

The Lord Stewarde promised him that he would present his requests to her Majestie. So the prysoner was carryed back againe withe the

Lieutenante and the other gentlemen that had charge of him to the Tower, the gentleman Porter carrying the axe before him with the edge turned towards him. The prysoner beinge gone out of sight, the Clerke of the Crowne signifyed that the Lord Stewards commission was dissolued and every man might depart in peace. And Master Wingfeilde gentleman ussher brake the white rodd in sunder.

3.

Record Office Report No. II (R.O. 2).

R.O., Domestic Elizabeth, ccxxiii, n. 86, ff. 179 to 193. This valuable account is the work of very skilled reporters. They get down far more details than others do, and their slips are on the average less numerous. On the other hand the grasp of the whole cause is far below that of Y. 1. The account is also unfinished. There are again very numerous overlappings; a study of the discussion of the falsely called Bull seems to show two reporters, who here re-echo one another in almost all details.

Phillip Earle of Arundells arraignment Decimo quarto die Aprilis Anno Regni Regine Elizabeth xxxi.

Mr. Spencer one of the Serjents at Armes returned his warrant eodem die, which my Lord Stewards grace receaued.

The names of the Barones upon whose honour the Earle of Arundell was tryed.

William Lord Burghley.	Arthur Lord Gray.
William Marques of Winton.	Lord Darcye.
Edward Earle of Oxon.	William Lord Sands.
Henry Earle of Kent.	Henry Lord Wentworth.
Henry Earle of Sussex.	Robert Lord Rich.
Henry Earl of Pembroke.	Lord* William [Willoughby of
Edward Earle of Hertford.	Parham].
Henry Earle of Lincolne.	Lord North.
Henry Lord Hunsdon.	Lord St. John.
Peregrine Lord Willoughbie	Lord Buckhurst.
Edward Lord Morley.	Lord Delawar.
William Lord Cobham.	Lord Norris.

Sir Francis Knowles returned the writ and precept.

His inditement read,† Mr. Wood Serjant at Armes willed the Earle to hold up his hand.

* The Christian name of Lord Willoughby of Parham was Charles.

† This may be an instance of the failure to arrange in right order the detailed notes that make up this text. In S.T., Mr. Wood makes the triple *O Yes,* and then Sandes asks the Earl to hold up his hand. But here the indictment is read first (perhaps in Latin) and after the holding up of the hand, comes what appears to be the substance of the indictment, evidently in English. In this there are some slight errors made in the ciphers of the dates, and from the introduction of the name Coleharbour, which does not occur in the indictment, we see that explanations were added, or possibly introduced by the reporter from the later recapitulation by counsel. The sequence of ideas in the count—"The Earl did go beyond the seas [*i.e.,* in 1588], *and thereupon* [*i.e.,* in 1588] Dr. Allen did persist," seems odd at first, but it is not unlike lines 45, 46 of the indictment.

The answere of my Lord holding up his hand, "Here is as true a man's hand as any in the hall."

[Indictment.]

Whereupon the Earle was charged with Campion's Treason, Harts, Moreton and Allen, with others in the 23 yeare of her Majesties raigne. The Earle reconciled to the Church of Rome in September 26 Reginae vnto William Weston, *al* Edmonds and vnto Bridges al^r^ Greatland Priests.

20 Nouem : 27 Reg.: Eliz, the Earle did confederate with Dr. Allen being attainted of high Treason and did affirme and promise to Bridges the same day that he would performe anything for the furtherance of the Catholicke Religion.

Vltimo nouembris [eodem] Anno the Earle did wright to Dr. Allen to vrge hime to do somewhat for the benefitt of the Catholickes and promised to be ready to bee imployed as he thought meet for the performance thereof.

xiiij Aprilis xxviij Eliz the Earle did go beyond the seas and thereupon docter Allen did persist soliciting the Pope and the King of Spaine vtterlye to depriue her maiestie of her life and realme.

Sextus the vjth being then Pope sent forth a most scandelous bull concerninge the most principle men of England and Ireland to induce them to beleeve that none could be king or Queene without the allowance of the Pope. William Benet a seminarie Priest sayd a masse for the good success of the spanish fleete in Caleherberte [Coleherboure] in the Tower, wherein the Earle played the Clarke, and willed Sr Thomas Gerrard to pray for the Attempt of the spanish fleete xxiiij July.

Moreouer the Earle did write a prayer with his owne hand and appointed who should say it, att the second conflict, xxiiij howers to bee sayed together, for that it concerned greatly the Catholique faith.

[Pleading.]

The Earle demaunded whether it were good in law to haue seuerall treasons drawne in one Inditement and alleadged for himselfe, yt if any were suspected of Treason that it should be prosecuted against him [ ] monthes or els not, and alledged a Statute.*

Mr. Popham the Queenes Atturney presently answered hime that ther is a statute in xxvj° Ed. tertij, cutts of the former.

And being asked whether he were guilty or not, he answered not guilty and sayd he was gladd to be tryed by so honorable men. The Earle desyred his grace that what was objected he might presently answer it, which his grace granted.

[Serjeant Puckering.]

Then was it apparentlye proued that the Earle conspired with Cardinall Allen and promised to bee at the direction of Doctor Allen and protested her maiestie to be an vsurper.

* See *Introduction.* There is a little confusion here. The Earl thought he should be tried by 13 Elizabeth, which restricted the time for prosecution, Popham says that 25 Edward III cuts off that *restriction* (not the Elizabethan Statute).

A discourse of Imagination of Treason and concluded Treason being both proved against hime :—

Allen was privy to the inuasion of Ireland in sending over diuers persons.*

ffiftey men well prouided with priuy Coates every one hauing an arming sword and a pocket dagg euerye one in apparell not like one another to lay violent hands one her Maiestie and to kill her.†

A letter from Dr. Saunders vnto Dr. Allen, the effect is, vjth [November 1577], vij° die Junij Cardinall Allen came a letter vnto my hands wherein I found yt his holines had leuied for the vse of the king of Spaine 3000 men with munition and money for the inuasion of England.‡

Hart his confession xxij Regine Elizabeth,§ and the Earle did imploy Euan Heddock to suruey England for conuenient landing places for forreigne Enemy and desyred him to deliver a letter from hime to Cardinall Allen concerninge men to land heare.‖

Eliott confessed yt he being one of the 50 men well horsed, prouided as aforesayd, should haue slaine her Maiestie at Chistmas was 3 yeares with diuers noble men, viz., Lord Lecester, Lord Burleigh, Secretary Walsingham, and vppon euery one of them a notice given presently to a noble man in the Tower. And when her Maistie was slaine to draw her through the streets by the haire of her head.¶

* The Irish war of 1579 (the second Desmond war) is not mentioned in the indictment.

† The bogus plot of Elliot, see p. 291 and note ¶ below.

‡ This is evidently a summary of Sander's letter to Allen 6 November, 1577, which begins, "Yours of the viith of June came unto my hands. . . . [A cipher sign, supposed to represent *The Pope*] will give two thousand [men . .] If they do *not* serve for England, at least they will serve to goe into Ireland." (Knox, *Letters of Cardinal Allen*, p. 38.) The original [?] is in the British Museum and a contemporary copy at the Record Office. Though several details are correctly noted, the sense of the original is not faithfully given. This letter is also quoted literally in *Popham's Brief*. So we have here a further indication that Popham still had a copy of *the Brief* before him.

§ The confession of Fr. John Hart (afterwards S.J.) seems to be lost, but some citations survive, *e.g.*, *below*, p. 279. "John Harte touching reconciliation, saith all is done by absolution and confession," and also in Popham's *Brief*, *below*, pp. 291–293.

‖ Vivian or Euan Haydock, of Cotton Hall, nr. Preston, was lately dead in November, 1581. Evan's wife was sister-in-law to Cardinall Allen, Gillow, *Dictionary* iii, 204. Government spies however, had many rumours about him, believed, one may suspect, because of the Allen connection. The Earl's name is evidently introduced by error here. See also Popham's *Brief*.

¶ This is the *finale* of Elliot's romance. As to the "nobleman *in* the Tower," by which words the reporter probably understood the Earl, the original words are, "And that withall there should be a nobleman [this word in Burghley's hand] (whom to me he would not name) ready, well appointed, *near* the Tower, presently upon the deed done, to enter therein and keep the same, and that forthwith the Queen of Scots to be there proclaimed Queen of England," &c. This (and much else) excludes the possibility of the Earl having been alluded to, and we know from Popham's *Brief*, that the evidence was supposed to tell against Allen; and therefore only inferentially against the Earl.

The Earle did enter into a pulpitt in Sussex and preached, in contempt of Religion.*

ffrancis Throgmorton confessed [? Mope] was come into England to sound [intents] of Arundell and Northumberland.

[? Sergeant Shuttleworth.]

James Hill confessed that the Pope found himselfe discontented and yt he had sent word into England thereof, that he had binne at great charges in sending over Priests and yet had found little good thereby.†

[Mr. Attorney Popham.]

Popham deliuered very effectually how preiudiciall for this realme it was yt preists should come ouer to diswade her Maiesties subiects from their due obedience.

Bristoo made a booke wherein he mainteyned it to be a matter meritorious to kill her Maiestie.‡

Barnwell sayd there was no hope of Restitution of Religion without ye distruction of her Maiestie.§

Parrie confessed the like.‖

Sauadge confessed the act was very honorable.¶

Babington hyred 50 men for the performance of yt act and maynteyned yt opinion.**

Allen proued continually to be a meane to kill her Maiestie, wherein

* "He was naturally eloquent, and of a ready speech. Whilst he was a Protestant, he once out of merriment disguised himself in habit of a minister of the better sort, and going upon a Sunday to the church of a certain country town there preached in such manner, that some of good understanding and judgment who were present affirmed they seldom had heard a better sermon nor so well delivered." *Life*, pp. 126–127. This parody by the Protestant Earl became the talk of the town; to turn it now into a charge of contempt for religion is to suppress the only point in the jest which was, that the Earl was able to impersonate a minister with becoming gravity.

† Perhaps part of the contents, as alleged by Walton, of James Hill's letter to Rheims. See pp. 244, 293.

‡ Passages from Dr. Richard Bristow's *Motives*, were laid before various martyrs as a test; and James Duckett was martyred for reprinting the book, *Acts of English Martyrs*, p. 247. But the passages, which are reprinted in Tierney's Dodd, III, viii, ix, do not support the charge here made.

§ What Robert Barnwell, the Babington conspirator, said was, that *his fellow-conspirators declared* there was no such hope. *Scottish Calendar*, viii, p. 687, § 3.

‖ Mr. William Parry, D.C.L., adventurer, and an agent *against* the Catholics was eventually "hoist on his own petard," and executed. Though the fanatics of the time firmly believed that his deceitfulness manifested the wickedness of the Papists, it was really only the reflex of their own want of principle. Parry's *Confessions* published by D. Jardine *Criminal Trials*, 1832, i. 255, do *not* contain what is here stated. See also *The Month*, July, 1902.

¶ See *Scottish Calendar*, viii, 681, Savage, the Babington conspirator, confessed that "*at the solicitation of Gilbert Gifford* and others, he was persuaded that to kill the Queen's Majesty . . . was a thing of great merit . . . as Gilbert Gifford affirmed." But Gilbert Gifford was the *agent provocateur*, in Walsingham's pay.

** This sentence must have been heard amiss: Babington's project was far different. But such a phrase as "50 men for the performance of the act" may occur in some description of his day-dreams. It is also used by the half-crazy Tyrrell. Morris *Troubles*, ii, 382.

the Earle did satisfye Allen that he would bee as forward as he would have hime.*

Mr. Popham approved that James Hill was priuie vnto these practizes and acquainted the Earle with the same. And the Earle wished there were more store of Catholiques made.†

Petro Paulo [Rossetto] confederated with the Earle 1583 and came ouer to see what forwardnes Englishmen were in, wherein these men were named forward and fitt men—Earle of Northumberland, Charles Paget, Throckmorton, William West[on], with others.‡

Valenger being brought in question for a detestable booke in the Starr Chamber before the Counsell, the Earle then sitting amongst them condemned him very vehemently sayd it was an impossible thing for a Catholicke to be an honest or true subiect,§ since which time being reconciled to the Sea of Rome confirmeth Treason xxiij° Eliz.

After his reconciliation he confederated with Dr. Allen as afore sayd for the ouerthrow of the common wealth and vrged Allen to do somewhat from time to time very vehemently.‖

The Earle answered he never denied the Queene nor adherred himselfe to the Pope.

Whereupon my lord Chamberleine bid hime deny the Pope and his adherents and his damnable herisy and you shall reioice vs.

Whereto the Earle would not answere.¶

A matter notorious. They will not admitt any man vnto their Sacrament vnlesse they abiure her Maiestie and swere to be her vtter enimye. Bridges and West canonize** with my lord and absolued hime, whereupon he neuer since that time went to Church.

Morgan reconciled the Earle by a letter appeared vnto the Scottish Queene.††

* This seems like the conclusion on the first count, that Allen was the Archtraitor. The Earl's message seems to be that which the indictment says he sent by Grately, 20 November, 1584.

† There seems no reason to doubt that James Hill was a perfectly loyal gentleman if anything too acquiescent in Tudor tyranny, see above, p. 93. He seems to have lived on at Paris in favour with Henri IV of France, and was a friend of some of the Appellant clergy in 1601. Law, *Archpriest Controversy* (Camden Soc. 1898). It is difficult to guess, why he is so frequently mentioned. It may be only in order to bolster up the strained evidence of the apostate Walton, see p. 343. Also his name is in Popham's black list, see *below*, p. 293.

‡ Petro Paolo Rosetto was mentioned during the trial of Francis Throckmorton, 21 May, 1584, and it was then obscurely reported that he "came to inquire about priests and Jesuits, and to get men." (B.M., *Stowe MSS.*, 1083, f. 170.) Here the details are again different.

§ Stephen Vallenger was tried in the Star Chamber, 16 May, 1582 (see p. 337), for his beautiful *Report of the Death of M. Campion, whereunto is annexed certain verses.* His ears were thereupon cut off, and he was condemned to perpetual imprisonment. See Simpson's *Campion*, pp. 269, 308, 332, C.R.S. ii, 250, 253, 283; iv, 38, 38. The Earl's denial of the words attributed to him, *above*, p. 184.

‖ This is counts three and four of the indictment.

¶ See *introduction* § 13, p. 242.

**Canonize. The sense seems to be one of mock gravity—the priests made my Lord into a big Popish Saint.

††Another bungle in combining reporter's notes. What seems to be meant is—"Morgan by a letter [addressed] unto the Scottish Queen [tells how] the Earl is reconciled." This would be exact.

Egerton.

If you bee of the Church of Rome you are reconciled, if you be reconciled you are her Maiesties Enemy, for *Reconciliare* is to impugne that which before you honoured and imbraced. He yt is not with vs, is against vs; and so my Lord are you.*

Philips a decipherer of an Alphabet.†

Flower preist reconciled ye Earle privily, Greatland, Hill, Bridges, and Weston.‡

William Edmonds of the society of Jesuits saith the terme of Reconciliation is made odious in England, but sayth he hath reconciled diuers.§

John Harte. Touching reconciliation saith all is done by absolution and confession.

The Earle confessed whosoeuer was a peruerse Catholicke was an arrant Trayter.

Mr. Popham having apparently manifested his lordship to be a Catholike peruerse and obstinate, therewithall deliuered his policyes, and sayd too, though my lord haue disguised, it is not religion but another matter that hath induced him to it, and y^{t} but to couer his Treasons to take a better opportunity to be reuenged. And to proue that which I say: ffirst probable, his discontentment was ye cause of his going ouer and withall I can manyfest a matter which was in a Trunke, a hand writting with a serpent shaken into the fire, the Motto *Quis Contemnas* [*sic*]. Wetgraue gaue hime a white lion Ranchart [*sic*] his Clawes all bloody, another motto *et tamen Leo.* My lord kept it in his Trunke giuen for a new yeares gift.

Whereupon the Earle being intreated to give the signification, he bidd him make the exposition him selfe. ‖

He went beyond sea and gaue no Reason.

Being demaunded why he went, he sayd the Queenes displeasure. ¶

It was approued yt the Earle was at Masse in the morning and at a sermon in the afternowne approued by John Bateman, vntill the Lady Margaret came unto hime, which confirmed little deuotion in hime.**

* This interjection of Egerton's was perhaps made at the opening of his speech.

† This should go with the penultimate paragraph, Phelippes, who had intercepted all Mary's cipher alphabets, had deciphered Morgan's letter mentioned above and he appeared at the end of the trial to swear to it.

‡ Again a bungle in note-combination. The name of the priest [? William] Flower [martyr, in 1588] seems to be introduced erroneously. The other names (but Greatland *for* Grately) were all somehow connected with the reception.

§ The sense is again incomplete, though the words may be correct.

‖ See *Introduction*, p. 244.

¶ Below comes the corrective—Not because of displeasure in the Queen, but of those about the Queen.

** For the alleged indifference between Mass and Protestant service see *Introduction*, p. 239. Below the sermon is put before the mass. The truth perhaps was that service was kept up for the Protestant household, while his Catholic wife and sister had their mass. Luke Bateman, and his [?] brother John are often mentioned in the Howard papers of this time, *e.g.*, B.M., Egerton 2074, f. 13, 22, 42, 46. Luke is here described as "gent." of Charterhouse lane, and "groom of the chamber," while John is a "gent. waiter." Luke eventually attended the Earl in his sickness.

Anthony hil his deposition.*

Hauing authoritie from the Counsell for the transporting and conueying of diuers Seminarye Preists which were banished, and being in conference with Jones Merideth, one Bray and Burlacy concerning the [Erle] of Arundell. I informed them one Dowghty and Mr. Duffield haue done much good with hime. And I take hime to be a very good Protestant. "You are deceaued, sayd Merideth, for I haue seene him at Paules Crosse att a sermon & yet hauve sayd masse vnto hime presently."

White is blacke and blacke is white.

A priuy watchword betweene my lady Margaret and hee, which manifesteth his deceitfull shew.

Bridges wrought my lord to be an adherent to Dr. Allen. My lord hath confessed he was present at the arraignement of Campion wherein Allen was indited and found guilty: adhering vnto the Enemy confirmes treason. Allen would haue no idle persons beyond seas, whereuppon my lord answered—he should not be soe ready to deuise, as he to putt in practize to joine against the Queene and to draw other Princes into the same fact. Thus being resolued, in summer xxvj Eliz. my lord conuersed with Bridges to go ouer, yet Dr. Allen thought he might do more good, being in credit with the Queene, to stay in England, whereby he should be lesse suspected and do more good. Yet vpon considerations betweene [hoketide] and Michalmas he went ouer: Before his going ouer he writt vnto Dr. Allen not to be slow vpon Execution against her Maiestie and the subversion of the realme, which God maricously reuealed. Dr. Allen liked not [? idle] men to come ouer.†

The Earle being examined, he sayd he vnderstood by Walgraue his man, that one [? Bray] his lordshipp's man could procure him passage, wherevpon he dealt with Dr. Allen.

The Earle conuersing with Bridges, he sayd yt Dr. Allen was very slow, and yt he would be forward in anything consequent, vnder his owne hand,—yet answered that "he had rather eate off his fingers then do anything against her Maiesty."

Being asked whether he would serue with the Duke of Parme in fflaunders, he ansered—"Will you haue me serve against my Conscience ? "‡

* Anthony Hall, "citizen and skinner" of London, see *Introduction*, § 239. "Doughty" below, may perhaps be "Thorney" or "Thornely" of No. xiv, § 7, where Duffield is also mentioned.

† Throughout this paragraph, as also in the four which follow Popham has been reiterating the statements of counts four and five of the indictment. But instead of producing the alleged letter of 30 November, he states that it was "miraculously revealed." This will hardly dispel our scepticism. When forgers of evidence (as the government undoubtedly was in regard to the falsely called Bull) instead of producing a letter, all important for their case, tell us that their knowledge was "miraculously revealed," our suspicions cannot but be increased.

"Hoketide," *i.e.*, Easter, gives the right chronology: but the MS. reads "Hollandtide," *i.e.*, Hallowtide, *i.e.*, November, which is impossible.

‡ This powerful and poetic answer, with that above and that below, seem to have been inspirations of the moment. They show how far the speeches, reported to have been addressed to Bennett and Gerard, are from representing his mind fairly.

Allen being proued continually a Trayter, my lord conuersed continually with hime—he answered, when an act of Parliament was made against the Catholickes he was resolued not to stay in England.

A letter from him vnto her Maiestie.

That her Maiestie [?] not his lordship, his father nor his grandfather, —and that his father was condemned by act of Parliament and not called to his answere.*

Vnto which my Lord Treasurer satisfied him & said his Triall could not be more honorable then by the higher and lowe howse; and withall it was his father's request, for that he was ashamed to haue his cause knowne, the matters were so odious against hime.

Mr. Popham.

" My lord, my lord, you left a factious & traiterous letter of purpose for policye, as you sayd; of which letter there was 500 coppies made, which Bridges scattered abroad, to thend yt all discontented men might make him their head, and so set himselfe against her Maiestie."

Mr. Egerton.

Reprehending him for sharpe sentences against her Maiestie in his letter, he answered nothing. The Earle being demaunded the reason of his going, he sayd it was discontentment, conceaued against some about her Maiestie and not against her Maiestie, which letter was left with Bridges to be scattered abroad amongst his frends.

Mr. Egerton [? Mr. Popham].

" Your Innocencie, my lord, could not appeare to be good, for yt you left it with a lewd Preist to be dispersed abroad." He perswaded all Catholickes yt he was fitt to [be] thear head and sent diuers letters to this effect; that all Catholickes, yt were distressed, should bee receiued at his hands: as by a letter procured to be directed vnto Thomas Smith his botleman; wherein he aduertized him very shortly he would be at Sussex and returne shortly after by Norfolke to the Comfort of all Catholicks? " This letter, so soone as you haue read it, burne it," in Anno Domini 1585, dated xix die Aprilis, being xiiij dayes before his lordshipp's departure.†

Dr. Allen had aduertized the Queene of Scotts yt one John Coxe and Hugh [Owen] had so ernestly solicited the king of Spaine for the inuasion of England, yt the king was resolued to take the Enterprise vppon the Conuincing of Antwerpe, the duke of Guyze kept 15 december 15[85].‡ The Earle went to serue in flaunders vnder the conduct of the duke of Parma at Resso, Higgins and Owen then his

* Here again there is something wrong. It was the Earl's grandfather, not his father, against whom a bill of attainder was passed.

† This letter seems to be the same as that alleged to have been directed to Baker of Lynn, on which see *Introduction*, p. 245.

‡ In spite of some errors, this summary may safely be referred to Allen's letter to Mary, of 5 February (not December as in MS.) 1585 (not 1558 as in MS.), which is referred to elsewhere. John Coxe is an error, which probably stands for π C, a cipher sign, probably representing Liggons. It is not stated that he or Hugh Owen had solicited King Philip, but the Prince of Parma is said " to give good signe to do . . . the whole matter . . . upon the recovery of Antwerp. . . . The Duke of Guise keepeth at Joinville still." Knox, p. 247.

men. Dr. Allen persuaded my lord to take a higher title then an Earle vpon hime, when he came beyond sea; to which he condiscended.

Edward Burrow aduertized his lordshipp that he had sent hime Graynes in a paper from the Pope, which did inuest hime with the title of a Duke.*

Babington confessed yt my lord of Arundell was a fitt man to be the head of the Catholickes.†

Allen procureth a new Bull of depriuation against her Maiestie, at the Eernest instance of the Earle of Arundell,‡ and y^t^ the king of Spaine would send gret power into England.

The king of Spaine procureth the holy league§ against her Maiestie, 2dly a booke printed in Antwerpe, presently had away from the printer. 2000 printed of dealer in the Print he [*blank*] the Councell at the instance of the Earle.

Sextus the Vth, being then Pope, made a Bull against her Maiestie, wherein he calleth her Maiestie an vsurper, solicited by diuers of ye most principall parties in England to thend to depose her Maiestie.

Another booke of Dr. Allen inprinted and shewed before his grace, wherein by Pius Quintus the Pope all his subiects are inioyned upon paine of denunciation not to obey her maiestie nor to defend her in any of her enterprizes.

The examination of Piero, who confessed he printed this booke at Whitsontide was xij munth, at a request of a Chapleine of Dr. Allen's.‖

The Earle appealed to my lord Chamberleine, wherein he declaimed from all Dr. Allen's actions, which should any way concerne her maiesties death; as by a letter appeared (as he said) directed vnto the sayd noble men. My lord Chamberleine sayd he neuer saw any such letter. Being demaunded whether he allowed of the Pope's Bull he would not answere.¶

[Egerton, Solicitor General.]

Mr. Egerton made a definition of a grosse ignorance and an affected ignorance so largly discussed as condemned the Earle, being to to often acquainted with Allen's Treasons and Campion's Treason, as no way he was able to answere therein.

And againe he went not away before Dr. Allen was consulted withall, and then concluded with his aduise to go vnto the Duke of Parma. So by all meanes he concluded his manifest Treasons.

Withall his liberty not being not [*sic*] allowed, for yt he was in the Tower yet notwithstanding, being knowne Culpable before, perseuered euen their, most damnablie working Treason still in heart and being in the Tower mercifully dealt withall, yet notwithstanding he retained diuers sommes of money which a Preist condemned of high Treason.

* For the alleged hankering after the title of Duke, see *Introduction*, p. 240.

† For Babington's real words, see p. 147.

‡ The reporting of this episode, concerning the falsely called Bull and the *Admonition* is interesting as showing fairly plainly, that there were two reporters, who in this case report almost the same details, one after the other.

§ For the Holy League, see p. 292 *n.*

‖ Piero Palete, see p. 288.

¶ For Lord Hunsdon's intervention see *Introduction*, p. 242.

One Barrard, a man in the same case, continually frequenting masse in the Tower and delighted with the hearing of a Bull published against her Maiestie and her subjects.*

And further diuers letters written from seminary Preists, yt their expectations would not be frustrated, for yt they were assured yt the Earle of Arundell should bee king of England before Christmas next.† ; ffor y^t^ doctor Allen had the disposition of the Crowne of England.

[The MS. stops here : unfinished.]

Endorsed in hand of xvii century.—Phillip, Earle of Arundell's arraignment, ill writ, 3 sheets ¼.

4.

THE SECOND REPORT IN THE YELVERTON MSS. (Y. 2).

Yelverton MS. xxxiii, ff. 107 to 110, contemporary. This report is well edited, and contains explanatory clauses not found elsewhere, *e.g.*, that there were 24 indictments, that the sergeants "lay on the table," &c. The list of witnesses at the end is especially valuable.

1589. Aprill the 14. THE ARENEMENT OF THE EARLE OF ARUNDELL.

The Earle of Darby, High Steward of England, who was placed under a clothe of estate, the L. Treasurer, three Earles and eight lords and Barrons on his right hand of the same hight, and the Lord Marquis, three Earls and seven lords on his lefte hand, under his grace a gentleman usher with a white rodde, and derectly before him satt the clerke of the Crowne, and on the other side of the table before him also the Queenes Attorneye, Solicitor and other Sargiants at Lawe who gave in evidence againste the Earle ofArundell : On the lefte hande of the Lord Steward there satt under six judges and round aboute the table sat noblemen and gentlemen, at the barre stoode the Earle, &c., &c., four Sergants at Armes lay on the table &c.

Firste sileuce made by a Sergeaunt, viz. "the L. High Steward Straythlie charges and commaundethe in Her Majesty's name all manner of persons to keep silence untill her Majesty's Highe Commission be redd, upon payne and perill that shall fall thereon."

Then was the Commission red which was dated the 8th of Aprill 1589.

Then the precept retorned by Mathew Spencer Sergeant at Armes.

"Sir Francis Knowles and you fellowes justices of peace in the Countie of Middlesex retorne your writte uppon paine, &c."

Then the Lords were called which were as followithe.

Wm. Burghlie L. High Chancellor (*sic*)
Wm. Marquis of Winchester
Edw. Earle of Oxford High cha[mberlain]
Henry Earle of Kent
Henry Earle of Sussex
Henry Earle of Pembroke

* There was no Barrard among the Tower prisoners. Possibly Godfrey Barton may be meant, *cf.* C.R.S., ii, 283 ; iii, 29. He had been released on bonds. If this report is accurate, it would show that the mistaken news (which the Earl had heard, presumably through the Archbishop of Canterbury, p. 172) had got out among the prisoners.

† For talk about the Earl and the Succession, see pp. 192, 260 *n.*, 286, 288, 289.

Edw. Earle of Harford
H. Earle of Lincoln
H. Lord Hunsdon Lord Chamberlain
Perygray Lord Willobye
Lord Morley
Wm. Lord Cobham
A. Lord Graye
[John Lord Darcy of the North *omitted*].
Wm. Lord Sandes
Lord Wentworth
Lord Ritchie
Lord Willobye of Per[ham]
Lord Northe
Lord St. John
Thos. Lord Buchurst
Wm. Lord de la Wayer
H. Lord Norriee

Proclamacion.

"Sir Owen Hopton knyght lieutenant of the Tower retorne thy Habeas corpus, for bringing in the body of Philip late Earle of Arundell in the Countie of Sussex." Then came the Earle brought betweene the lieutenant and Sir Drew Drewry who made lowe obeysance and stode at the barre, but the lords never moved their hattes, nor made any countenance.

"Phillip late Earle of Arundell hold up thy hand" which he did and said, "here is as trewe a hand as any of them all here"; he would by tryed by God and his peares. Then were the Inditements redd which were in nomber xxiiii, which beinge red the Earle said, it was not the lawe of England to have so many severall indictments included in oone &c. the which obiections was proved and answered by the L. Chiefe Justiee of Englande.

[Mr. Sergeant Puckering.]

Sergiant Puckeringe spake and shewed divers letters written by the Earle to D. Allen and to the Duke of Guyse* and divers other traitors beyond the seas dated the 22, 25 and 26 years of her Majesty's reigne containing therin words of treason, then was proued how at the Charter House in the 26 yere of her Majesty's raigne he did submitt him selfe to the see of Rome and after reconsiled therunto.

A letter also from D. Allen dated the 27 of her Majesty's raigne† exhorting the Earle to conspire hir Majesty's death, and proued as a papist and wicked traytor, the same to be lawfull.

Other letters the same yere‡ from the Earle to Allen prouokenge him to stirre upp foreigne princes for the invasion of this Realme and geveng him to understand what noblemen and gentlemen were true Chatholiks here in Englande.

* That the Earl wrote to the Duke of Guise was one of Tyrrell's hallucinations *see* p. 155. This charge does not occur in the indictment.

† This "letter" from Dr. Allen, is apparently the report of Grately having come with a message from Allen in counts four, five.

‡ This seems to represent count five.

A letter also from Allen to the Earle that the pope would send 2000 men towards the ayde of the Spanish Navy.*

28 or 29 yere, was shewed one Paynes confession and letters also for 50 persons armed with pryvie coats to kill her Majesty; which should be devided into foure parties, the one partie therof to kill her Majesty, an other to kill the L. of Leycester, another the L. Chanc. if he were there, another Mr. Secretary Walsingham if he were there; and the Earle of Arundell or the Earle of Northumberland to cease on the Tower, and to proclame the Queene of Schots Queene by the name of Q. Marye,† the Earle denied to be of this conspiracie, saying that he wayted uppon the queene all this sommer.

Another letter of Allens‡ to knowe what men should be dealt withall.

[? Sergeant Shuttleworth.]

Here was proved how the Earle was absolued by Bridgs and Weston. Presumptions therfore that he was of the conspiracie aforesaide, but he answered that it was for all his sinnes. Beinge asked whether he came unto the Masse he denied not, and here was proved that he submitted him selfe to the Pope which was treason proved by the Statute made in the xiiith of the Queenes raigne, acknowledged reconsiliation to the Sea of Rome. Wherfore, 'for his conscience' he said.

[Mr. Attorney Popham.]

Mr. Attorney answered that his conscience was corrupt, and his superstition was to serve an other torne, and to worke a greater mischefe.

Proofe also brought that he preached in a pulpit as a priste, which he could not deny.

A printer being a Dutchman, brought in and confessed certaine seditious books to be printed by him beyond the seas, and the Earle proved to be an author in this matter, and here he caused libels to be caste abroad: and by stealing a leafe out (*sic*) out of every booke the printer brought the book into Englande.§

The Earle did wryte unto Allen to have his oppinion whether he should come over, Allen retorned answer and advised him to tarry still in England if he might with safetie till the fact were don, wherby he might be able to do better service, notwithstandinge the Earle practised, at one Bridgs retorne, to goe beyond the seas betwene midsummer and Michelmasse that yeare.

Another letter he also sent unto Allen to knowe what he had don, and promissed to doe here what he might, and blamed Allen for his great slacknes (wherby the Attorney proved that he first sought the distruction of hir Majesty's person by secreat conspiracie and also by forrayne invasion) and sent Bridgs to Allen for that purpose.

* Allen to the Earl. This is a misreport for Sander to Allen, 6 July, 1577, see Popham's *Brief*, § 4.

† Elliot's romance (of 1581), branching off into Throckmorton's alleged machinations (of 1583). Arundel's answer of course concerns itself with the latter only. Popham's *Brief*, § 5, Foley *Records*, ii, 586.

‡ Letter of Allen. This should be of Evan Haydock, see Popham's *Brief*, § 10.

§ The pronoun "he" stands first for the printer's assistant, a Dutchman, then for the Earl, then for the Dutchman again. See list of witnesses at the end and above pp. 167, 270, 282.

The Earle flying away when he was apprehended, an argument of his disloyaltie &c.

And he lefte letters behind with Bridgs at his going away to manifest unto his frends the cause of his going, and that he was the head of the Catholiques here in England and that he should report he would retorne through Northfolke to the comfort of all the true Chatholiques as he called them.

One Jno.* Coxe found a letter dated this time, directed to the Earle wherein was contained wordes of highe treason, which he shewed to the L. Threar.

A letter also this yere directed to the Q. of Scotts from Allen that the Duke of Guyse and the Prince of Parma would ioyne with the King of Spaines navie, and that none so meet as the Earle of Arundell to be a chiefe leader of the Chatholiques to joyne in this realm.†

Allen persuadeth the Earle of Arundell to take a great title upon him and directed a letter in this sorte—to the right honorable and mighty prince, Phillepe Duke of Northfolke, and Earle of Arundell.‡

[Mr. Solicitor Egerton.]

The examinations of Sir Thomas Jerite and one Benit, a priste, declared the speaches of the Earle in the Tower at the coming of the Spanish fleete sayeing, "Be of good comfort I heare the Spaniards are coming, like a greate forrest on the sea, now is the time of deliverance, now shall all true Catholiques be set at libertie, now as the Earle of Leycester and Mr. Secretary have plaged many Catholiques they them selfes shall be plaged. I hope to see London Bridge brocken downe; now shall we have a good government and the Chatholique religion established. Let us have three Masses of the Holy Ghost to be said for the good successe of the Spanish fleete and Masses and prayer to be used for the space of 24 houres together by 6 pristes and 14 layemen." He caused also Shellie to make a praier for the good successe of the Spanish fleete, and after when the Earle heard how the Spanish fleete was distroyed, he brake out into the same vehement speaches. "O, Sir Thomas, now we are all utterly undon, our navy is distroyed which a longe time hath ben prepaireing, it will not be well furnished again this sixe yeres and by that time many of us may be dead and rotten."

Mr. Shelly justified the former speaches, and moche more to be true, so did Anthony Tytchborne [Tuchinor], Wm. Davidge (*sic*) and Mr. Tipping; which Tipping in a letter declared that he hoped shortly to see the Earle of Arundell king of England, and one Hewet also used the like speaches; one Church and Bourne [? Walton] swore that one in England, and named the partie viz. Digby, did wryte a letter beyond the seas that the Earle of Arundell had promissed to be the chiefest in the surprising of the cytie of London.

* Jno. The reading is not clear; it might be Jus. for Justice. May this possibly be the "miraculous" discovery about which we have heard Popham, *above*, p. 280. For the letter to Baker, see *Introduction*, p. 245.

† This portmanteau paragraph contains confused reminiscences of Allen to Mary, 5 February, 1585, p. 281 *n.*, of Babington's words, p. 147, &c.

‡ For the title of Duke, see *Introduction*, p. 240.

The Earle of Arundell willed Jerret might be brought before him, which when Sir Thomas Jerret apeared and iustifying his examinacion, the Earle of Arundell challendged him, that he had broken promise and had undon him selfe, and was the cause of all this. "O my Lord," said he, "I gave you my hand to conceale, but wayinge with my selfe my disloyaltie to hir Majestie, in so doing, I did after a time reveale it to some of your lordships. My examinacions once taken, I have sworne them to be true, and now I must justify the same, for which I praie to pardon me," and now the Earle used speaches a good whyle.

Evidence also geven for a dagger* that was found in his lordships trunck.

A letter shewed which was to her Majestie from the Earle, the content whereof was that because they could bring no sufficient matter against his grandfather, they attainted him by acte of parliament,† also his father was put to deathe of envy &c. and that his very enemys did confesse that he never carried a disloyall minde, "which I considering maketh me to doubt that I shall followe them in deathe as I have succeeded them in place," &c.

By which letters the Attorney manifested that he notted her Majestie of Iniustice.

Sir Thomas Jerret and Benets examinacions were taken before the Lord Chancellor, Mr. Vice Chamberlain and the Master of the Rowles.

A letter also shewed which was doubted to be the Earles' owne hand: to which the Lord Greye used some speaches, which I hard not, but in the end he desired to be resolved whether it were the Earles owne hand or not; and it was proved to be.‡

Some other letters shewed also which apparently proued the Earle to be gilty of highe treason which I could not heare: but being don Mr. Solicyter made a breif repetition of somewhat before said and the Lord High Steward commanded the Earle to withdraw himselfe which he did into a seate in the lower end of the hall garded with the lieutenant, Sir Drew Drewry and many of the Queens gard, the axe borne before him with the edge from him,

After the Lords withdrew them selves for the space of ¾ of an hower into the kings bench, and at their retorne the Clerke of the Crowne called H. Lord Norryce being the youngest lord, "Is Philip late Earle of Arundell of the severall treasons wherof he is indited, gyltie or not giltie?" to which he answered laying his hand on his harte, "Gyltie," and so to all the Lords assending unto the highest, the same question and the same answere.

Then the Clerke of the Crowne said [unto] Sir Owen Hopton Lieutenant of the Tower, "Bringe fourth thy prisoner uppon paine and perill that shall fall theron," who immediatlie brought fourthe the Earle who seemed to come chearefully to the barre, to whome the clerke said

* A dagger. This seems a confusion for—devices with a sword-hanger.

† It was his great-grandfather who was attainted by parliament.

‡ "I heard not." The letter was really Bennet's apology, the question whether it was his, Bennet's, act and deed, as we might say. Bennet is elsewhere reported to have perjuriously denied it.

"Philip late Earle of Arundell thou hast ben indited of severall high treasons, thou hast pleaded not giltye, what hast thou now to say for thy selfe why thou shouldest not suffer according to the lawe," &c. Whereupon the Earle used some speaches, amongest others this he said he had three petitions to make to her Majestie the first that he might have some speach with his wife, secondly that he might see his child, and thirdly that he might have some conferrance with some of his servants for the payment of his debts. Wherupon judgment was geven, and the edge of the axe turned towardes him, and then commandment geven to take the prisoner from the barre, which immediately was don, he geveng no answere. And so proclamacion was made for the people to departe, & the Lord Stewarde brake his rodde.

These gave evidence against the Earle of Arundell.

Mr. Yonge Anthony Hall	for speches delivered of the Earle by certaine seminary pristes.
Mr. Phillips, decipherer,	of a letter of the Q. of Scotts.
Walton, sometime a man of the Lord of Northumberland	for words harde spoken of one James Hilles, an Englishman
Church, a servant unto a merchant of London	and [of] a french seminary at at Parris.*
Sir Thomas Jerret Snowden a master of Ships Bennit the priste	for private conferances and oppen actions in the tower.
Watsonne Balye of St. Katherins	for a letter sent unto Hamand the Earles man by the Earle.

Pero Palete, a stranger, interpreter for a ducheman of Antwarpe, that printed a Bull in Antwarpe.

5. Oxford, Report, No. 1 (O. 1.)

Oxford, Bodleian Library, *University College MSS.*, E. clii. An early 17th century MS. Probably an abstract of some fuller report. Nothing at all is said of the court, or of the proceedings. The points selected too are chosen, rather because they were striking, than vraisemblable.

Anno 1589. Causes of the Earle of Arundells Inditment.

1) ffirst his letters to the Guize, requesting them and the prince of Parma to be in readines with men and munition to helpe the Spaniards att theire landing in England.†

2) his letters to D. Allen to the same effecte.

3) his departure to goe to the prince of Parma with an intent to have an army in the Low-countries to come into England; and before his departure by his letters requested the Papists to be present att such time as hee should returne.‡

4) His prayer for the prosperity of the Spanish fleete written with his own hande.

* Seminary, *i.e.*, seminarist, or seminary priest.

† The Earl's letters to Guise and Parma. There is no mention of such things in the indictment. The whole paragraph seems evolved out of credulity.

‡ This is the letter to Baker of Lynn. See *Introduction*, p. 245.

5) His description to the Papists prisoners in the Tower of the hughe Army of the Spaniards and the small number of the English.

6) His request to Benett a prieste to have every day three sundery Masses of the holy goaste for the Spaniards good successe.

7) Benetts answer that there is a Masse newly established at Rome against Schisme more necessary att this time.

8) His determination and conspiracy with the prisoners to surprise the Tower and so murther the Lieutenant.

9) His releeving with mony the knowne Traytors.

10) He was surnamed att Rome Duke Phillippe of Arundell; and supposed, being the queene of Scotts was deade, to be the only man to be chosen King of England.

11) That certaine yeares past by the consent of the Pope, D. Allen and such others, there was chosen 20 persons resolute and desperate to have murthered her Maiestie and to have drawne her by the heare of the head through the Cyty of London, amoungst which troupe was one payne, and the rest were openly rehersed before him, unto whose practise hee was privy.*

LXI.

POPHAM'S BRIEF.

B. M. Egerton MS. 2074, f. 81 , contemporary office copy. The marginal notes, written in a roman hand, are here printed in italic. Tho text, which is written in courthand, was written in before the marginalia. The paper was certainly written for Popham's use at the proceedings against the Earl of Northumberland, 23 June, 1585, and was also used by him then, as appears from the report in Holinshed. It is also evident that the same advocate had a later edition of it under his hand during Arundel's trial, containing at least sections 3 to 14. It explains better than anything else the Attorney's use of evidence.

Considered as literature, the brief belongs to a class of compositions, calculated to represent the Catholics as engaged in an unending train of plots. Owing to the Tudor tyranny the crown lawyers were always allowed in these cases to drag in references to so-called Catholic plots, which were alleged to have taken place long before, and had nothing to do with the case in hand. Campion eloquently protested against this abuse (Simpson's *Campion* 286, following MS. Sloane 1132). But the practice continued wherever the materials handled (as in the trials of Parry, of Mary Stuart, of the Babington plotters) were not of considerable dimensions. At the trial of Father Garnet in 1606, these ancient controversies played a very great part. In time there were several books published on the topic, *e.g.*, George Carlton, *Thankful Remembrance of God's Mercies*, and the subject constantly reappears in contemporary controversy.

Though among the notes attention is sometimes called to grosser absurdities, no attempt is made to expose the pervading spirit of fraud and persecution in the Brief, which is its worst feature.

THE TREASONS SEUERALLY ATTEMPTED FROM THE XI YERE GE HER Majesty's raygne against her Royal state and person by her traytereus subiects on this side and beyond the Seas. [*On the back.*]

* Gross credulity again; the Earl was then a protestant. The romance of Elliot was supposed to defame Allen. The Earl's alleged crime was to have adhered to Allen after hearing such a disclosure.

1] *Anno* 11° *Regine nunc.*

The rebellion in the Northe was stirred by the Bull of Pius Quintus against her Majestie,* whereby he depriveth her highnes of the crowne and dischargeth her subiects of their obedience to her, and by doctor Morton, the Popes Instrument in that behalf,† which appeareth plainly in D. Sanders and D. Bristows Books, written thereof, wherein Saunders setteth downe that the onlie want of successe in that action, grew by reason the Popes Bull had not ben before that time publiquelie knowen to all parts of the Realme,‡ as it was in the Northe partes.

2] *Anno* 13° *Regine nunc.*

The Duke of Norfolks treasons which tended to the overthrow of her Majestie and the settinge up of the Scottishe Queene, were furthered and followed by the Pope and his adherents, and as John Harte, 31 *Decemb*: *Anno* 23° *Regine nunc.* doth affirme upon his oathe that D. Allen was in Norfolk to have talked with the Duke, but spoke not with him, and said it had been good for the Duke that Allen had spoken with him. §

3] *xvi*° *Septemb*: *A*° 19° *Regine nunc.*

Cuthbert Mayne at the time of his araignement did confesse a note of his shewed unto him in writing to be his owne hande, which was

* This charge puts the cart before the horse, the effect for the cause, as even the dates show. The Northern Rising lasted from mid November to the end of December, 1569. The Excommunication was issued on the 25th of February *following*, the preparatory process having lasted from the 5th to the 12th of February. These proceedings are printed in part in the continuation of Baronio's *Annales* for 1569, § 270. Edited by J. Laderchi.

Owing to the posts from England to Rome taking three or even four months, for reliable news to reach the Eternal city, the rebellion had been stamped out in December before Pius heard even of its imminence, in January. News that it was now inevitable, led the Pope in February to prepare his censures, which had been launched before the Pope knew anything certain of the failure of the rising.

† The writer (whether conscious or unconscious of the previous fraud) endeavours to strengthen his position by drawing in Dr. Morton. It is true that Morton came to England in the autumn before the rising, but it is not true that he was "an instrument" for stirring the rebellion. His mission was to regularise the faculties of the clergy. But when he learnt the effect made by Mary and the imminence of insurrection he returned to Rome; and Pius was certainly influenced by his report, when issuing the bull. But though many of the insurgents confessed after the Rising that they had treated with Morton, none of them describes him as having incited them to action. For their motives, see *above*, p. 3.

‡ "Saunders setteth down, that want of success, grew by reason the Pope's *Bull* had not been *known* before." Again a fraud. Sander never falls into the error of putting the bull before the Rising. The words he used were—Res evenit quia Catholici omnes nondum probe cognoverunt Elizabetham *iure* publico haereticam declaratam esse. "The result came about, because all the Catholics did not yet fully understand, that Elizabeth by common *law* was declared heretical." It was *not* therefore the want of *the bull*, or the sentence, which Sander specified, but the defective knowledge of *law*. Law declared her liable to the penalties of heresy even before trial, and without sentence; though, we may add, trial and sentence were necessary before the solemn exaction of the penalty—just as they are in English legislation on treason.

§ John Hart's letter of 31 December is only known to us by an extract (R.O., *Dom. Eliz.*, cxliv, 64, 65) which does not cover the statement made here. Hart was then in a very despondent, yielding mood (bewailed as "apostasy," by Morris *Troubles* II, 31, and still more so by Foley VII, 338) and the inference is that he meant that Allen would have *dissuaded* the Duke, if the meeting had taken place.

to signifie the benefit that should grow by the Graynes he then deliuered out amongest her maiestie's subiects, and was thus, that whosoever had anie of those graines with the watche word schold be defended from hurte in the bloodie daye.* And here began the sending over and disposing of prests in sondrie partes of the Realme, to seduce her Maiestie's subiects, which sithens by erecting the Seminaries haue ben sent over in great plentie.

4] *Sanders* 6° *Julii* 1577 *Anno Regine* 19°.

He wrote to Allen from Madrid 6° Julij 1577 parte wherof is in Cipher, and disciphered is—The A will geue two thousand when yow shall be content with them, if they do not serue to goe to England, yet at the least they will serue for Ireland, affirminge withall that the state of Christendome stood upon the stout assailing of England. Whereupon those forces of Italians and Spaniards were turned to Ireland. In the which he writeth the X is as fearfull of warres as the childe is of ye fier, which letter is extant of his owne hand *Margin :—The X is taken to be the k. of Spaine, and the A. the Pope.*†

5] *Geo. Eliott. Anno* 21° *Regine nunc.*

That Payne tolde him that Allen with others when he was ouer seas about A° 1579 had taken order that a fiftie men shold be procured to be furnished on horse-back with pocket dagges, swordes and priuie coates at the popes charge to surprise her Maiestie and to destroie her as her highnes sholde recreat hir selfe abroade, or take some small progresse. Whereuppon Paine delt with Elliott, whom he found as he doth terme him a Catholique, to have ben one of that companie : who, as so obliged in dutie, discouered the same, whereupon Paine was executed.‡

6] *Jo: Harte.* 31° *Decemb* 1580, *uppon his oathe. Anno Regine nunc* 22°.

That about ffebruarie the last past D. Allen receaued a letter with certaine Articles inclosed from Rome, touching audiens geuen by the Pope to the Ambassadors of Spaine and fflorens, and that they had agreed on a league against the Queene of England, which articles at D. Allens commandement he copied out. The articles were that the Realme shold be invaded by xx^{m} men, that her Majestie shold be de-

* Blessed Cuthbert Mayne was martyred for having in his possession a long antiquated bull of indulgence (*Lives of the E. Martyrs*, I, ii, 206). It is not out of keeping with this, that he should be charged to have had "grains" or rosary beads with some quaint old promise of "defence from hurt on the bloody day." We cannot control the accuracy of the statement. But even if it is true, where does "the treason against her Majesty's Royal state and person" come in? This is not a proof of treason, but an appeal to fanaticism.

† The proper date of this letter is 6 November, not July. It is printed in full in Knox, *Letters of Cardinal Allen*, p. 38, from the Record Office copy. *Dom. Eliz.*, cxviii, n 13. The letter indeed proves Sander to have been an advocate of active resistance. But everyone knows that, and nothing further follows. The original thesis is no nearer to being proved.

‡ See *Lives of the Martyrs, Blessed John Payne*, vol. ii, 430 ; Simpson's *Campion* 218, 219 ; Foley *Records*, ii, 586. To take life on the score of Elliot's preposterous romance, must convict the prosecutors of cruelty no less than of credulity.

posed, that some Englishe Catholique shold be elected king, and that the spanish k. shold not heerby appropriate anie parte of the dominions of England or Ireland to himselfe but shold wholie remaine to the Crowne of England, and that the Bushoppricks shold be wholie bestowed uppon Englishemene.* And saith that about a yeere past the Scottishe Q. sent her submission to the Pope, to bestow her in marriage at the Pope's appointment.

That Th: Morgan was verie familiar with D. Allen and that manie letters passed between them, and much secret conference, and that by the meanes of [blank] at Paris letters passed out of England to D. Allen.† And that the last pope Gregorie had dispensed with the Bull of Pius Quintus against her Majestie so as Catholiques might obaye her untill the pope shold otherwise determine, and this was for the perill the Catholiques stood in; for if they before that obeyed her Majestie they were accursed, and if they disobeyed, they were in danger.

xiiij April 1580 *Anno Regine* 22 , *this toleration of the bull was granted amongest other faculties to Parsons and Campion, and that it sholde stand tolerated to the Catholiques but until publique execution of the bull might be made, as appeared by a copie of these faculties taken about a Seminarie priest at his first landing in England.*‡

* This "papal league" story is pure fiction. Though rare among English Protestants rumours of this kind were frequent among their German co-religionists. But they are now known to be fabulous, and for this reason. There is no trace of them found in the archives of the supposed contracting parties. To confine ourselves to the parties mentioned here, their archives are now open to public inspection, but no confirmation of this story appears. Genuine treaties on the other hand, are attended by abundant correspondence in the archives of each of the treaty powers. This rumour was due to alarmists, and it gained unusual credence through the credit given to it by that well-meaning but unreliable politician John Leslie, nominated Bishop of Ross.

This subject, and indeed this whole heading, calls for a more detailed exposition than is possible here; a restricted outlook would probably favour the misrepresentations of the hostile advocates. I may therefore refer to a chapter about this in my forthcoming volume on *Queen Elizabeth and the English Catholics*, also to *The Month*, March, 1901, and *Papal Negotiations with Queen Mary of Scots*, p. xxxvii; [J. H. P.].

† It must be remembered that Morgan was especially unpopular in England at the time this was written, owing to his having been inveigled by the English agent Parry into suspicious correspondence, see § 17 *below*. The advocate's idea here is to involve Allen in his disfavour. In reality they belonged to very different parties.

‡ Gregory's answer of 14 April, 1580, regularised the previous position of the Catholics in regard to the bull of Pius V. Though restricted views of this answer may seem to tell against Catholics, in reality it conduced much to the growth of the sentiment of loyalty towards the Queen. After it protests of loyalty grew steadily in number and strength. Before there had been uncertainty, and a few had rejected the Queen. Later on when explanations were asked in Rome, in 1602, about the change of opinion, the explanation given by Father Persons was to quote this answer of 14 April, 1580. Even Mr. Simpson says "Elizabeth's government ought to have been grateful" (*Campion*, p. 100) for this answer obtained by the Jesuits—but, as we see here, they took their usual perverse course. They said that the Catholics were to be loyal only while they were weak, to rebel when they were strong. The question is whether the Catholics or their persecutors (who viewed everything through blood-red spectacles) judged aright of the Pope's words. For a fuller discussion of this large question, I may refer again to Chapter VII in the forthcoming volume *Queen Elizabeth and the English Catholics* [J.H.P.].

7]. *Jo. Harte.* 3° *Novemb.* 1581. *A° Rne nunc* 23°.

That the coming over of so many preists was to winne great numbers to the Catholique faith as he termeth it, wherein they have two respects, th'one that thereby the Catholique partie wold grow strong, to ioyne if opportunitie served, either with forren invasion or tumult at home, and th'other that Catholiques increasing to a great multitude, the Queen's Matie and her Counsell wold thereby be terrified, and induced to permitte to the Catholiques libertie to live according to their consciences,* and that when he was made privie to the articles whereunto he hath heretofore deposed, touching certen powers to be levied by the pope and other princes for the invasion of this Realme, he was forbidden by D. Allen to use anie speech of those articles.† And saithe the Bushoppe of Rosse had written a booke of the Sco: Q: title to the Crowne of England, which was secretlie a printing in Rhems, whose purpose therein was that the same booke shold be published in everie princes court, before his intent in writing that booke shold be discouvered.‡

Note this booke hathe ben accordinglie printed and published beyond the seas.

8]. *Hill.* 4° *Julii*, 1581. *A° Rne nunc.* 23.°

Hill affirmeth that Payne tolde him at Shrofetide then last past that the Realme could not long continue in the state wherein it was, for that the pope had a speciall care thereof, and wold in short time either by forren princes or by some other meanes worke a change of things heere.§

9]. *Ralfe Nicolson.* 10 *Junii* 1581. *A° Rne nunc.* 23°.

That comeing out of Spaine at Narbon in Province about a yeare past and more, he mett there with an Englishman being the hedd preacher in Narbon, who tolde him that the K. of Spaine shold shortelie invade England and restore the popish religion, and that himselfe shold goe over with them and be placed here, and saithe the preists doe come over and doe disperse themselves into contries to make their partie strong.‖

10]. *Edw. Rusheton.* 22° *Novemb* 1581. *A° Rne nunc* 24°.

That Evan had all the doing in England under D. Allen, and that at Shrofetide then last past Haydocke willed him to doe a message unto D. Allen which was, that wheras he had receaved worde from

* This and the two next points are again good ones for an advocate; but their value evaporates as we attend to the circumstances. Hart, as we have seen was then acting the craven's part. He is no spokesman for Catholics. And we do not know if the quotations are reliable. All that is suspicious here may be due to the suppression of restrictions or to over-emphasis on side issues. The Government's hatred of *liberty of conscience* is noteworthy.

† Allen may have ordered silence because he suspected the trickery which was really present.

‡ The Bishop of Ross's book was in support of that line which rules in England to-day, and was then excluded by the Tudors.

§ Hope springs eternal in English hearts. Catholics, no less than Protestants, were from time to time under an illusion in regard to Papal power. See also pp. 141, 277, &c.

‖ This is apparently idle chatter, neither speaker knowing anything serious about the subject.

him at Allhallowtide before, that men and all things were in a redines, if the place of landing might be knowen, he shold send him worde forthwithe whether things were in such readines or not, and if they were, that he wold send him suche perfect Instructions as he colde.

11]. *Edw. Rusheton.* 24° *Decemb.* 1581. *A° Rne nunc* 24°.

That the said haidocke said it was a message of great secrecie, and that it was the K. of Spaine that had the men in a redines, as Allen had sent him worde.*

12]. *John Somerville. A°* 25° *Rne. nunc.*

John Somervile was drawen into this most horrible practise against her Matie by the meanes principallie of preists and of their sedicious bookes; and that for two respects, th'one th'advancement of the Roman religion, th'other for the setting upp of the Sco: Q.†

13]. *Wlm Chrighton Jesuit.*

It appearethe by papers found about him, uppon that he was apprehended on the seas to pass into Scotland, that an enterprise was intended against England by the waie of Scottland bothe by forreins to have ben landed there and by the Scotts to have ioyned with them, and shold have ben executed by the late Duke of Leneux, but prevented by his deathe, and was thereby to have overthrowen, bothe the gouvernement in England and the Religion.‡

14]. *Fra: Throckmorton. A° Rne nunc xxv.*

Confeseth his intelligens and the L. Pagett's of the same enterpris intended by the Duke of Leneux and being prevented by his departure out of Scotland, which both they condemned in the Duke, and by his deathe following, it was resolved that the Duke of Guise shold have pursued the execution thereof imedeatlie into England by the waie of Sussex with xv^{m} men whereof half to be maintained at the charge of the pope and th' other half at the charge of the King of Spainie, and that Parsons the Jesuit had sollicited the same to the pope: but overthrowen as it maie seeme by the Lord Pagetts speeches to Throckmorton, for that Sussex was in the harte of her Ma^{ts} strengthe, and so the force to weake, who said that good was not to be don against England by anie waie but by the waie of Scotland, for the forren forces could not have good backing in anie parte of England as the case now stood,

* *If* all is reported fairly, we have once more some good advocate's points. In a very delicate position Allen seems to be consulting an old priest, who is also a country gentleman of position—(for Evan Haydock, see Gillow's *Dictionaary*). But it seems doubtful if an answer has passed even in the course of a year. The message *appears* to have been—"The King of Spain's men are in readiness, are you in readiness on your side?" This was November, 1580. In February (Shrovetide), 1581, Haydock *appears* to ask for confirmation, "whether things were in such readiness?" In November, 1581, his agent Edward Rishton or Rushton, does not know of any answer. From negotiations so long drawn out, no serious danger to the state was likely to arise.

† For Somerville see *C.R.S.*, iv, 115; also *above*, p. 42 n.

‡ The papers found on Crichton were old ones, but they showed that an enterprise in Mary's favour had been contemplated, though not a plot against the Queen's person. In fact, he gave good evidence against Parry on this very topic. Crichton's papers are printed in *Letters of Cardinal Allen*, p. 425.

and the purpose thereof was to deprive her Matie, advance the Scottishe Queene, and alter religion.*

Note y^t in the same 25th yeere of her Matie Tho: Morgan uppon occasion wrote to H. Morgan his brother y^t he wold not be beholden to anie of those his friends in England his brother had written of, for he doubted not before it were long manie shold be beholden to him. which geveth credit to Throckmorton's declaration y^t some enterprise shold be taken in hand for alteration of the state of England.

15]. [*Allen's Book.*] *A°* 26 *Rne nunc.*

Doctor Allen did sett forthe a booke against y^t of the execution of Justice in England, wherein he laboureth to proove and traterouslie maintaineth that the pope maie lawfullie deprive her Matie of her Crowne and discharge her subiects of all obedience, [who] maie oppose them selves against her.

Note y^t there was found in D. Ateslow's studie a libell in meter made by Orton [? *close*] *prisoner in ye Tower agreing with the same booke of Allens.*†

16]. *Christofer Row.* 22 [? *Martii*] 27 *Regine.*

Richardson, a Devonsherre man one of the seminaries at Rome, y^t ye Queens Matie shold have a clappe before Easter.‡

17]. *Morgan and Parry.* And lastlie for the same causes the deathe of her Matie practised by Morgan and Parrey with the privite and incouragement of the pope and sondrie Cardinalls and Jesuits was evident both [by] the Cardinall de Como his letter onder his owne hand, and by Parries owne confession: and Parrey by them persuaded, it was a matter meritorious to do it.§

18]. By all this it appereth ondoutlie that those matters have from the begining ben sett on foote and pursued unto this daie by the pope, his preists and other ministers to this end to deprive her Matie bothe of her life and gouvernment, to sett upp the Sco: Queene, to alter Religion, and utterlie to ruinate the whole Comonweale.

* The efforts of Lennox and Guise were for the liberation of Mary Stuart. They did not at first extend to the deprivation of Elizabeth, nor did they ever propose her assassination. If that subject was mentioned later, it was put forward by George Gifford a follower of Walsingham, and soon seen through. For the negotiations of Guise, Persons, Throckmorton see *The Month* for April and June, 1902. Morgan's letter mentioned in the margin is preserved, R.O., *Dom. Eliz.*, clxxviii, nn. 64 and 66.

† Dr. Allen's *Modest Defence of English Catholics*, was published in August, 1584, and a Latin translation in Bridgwater's *Concertatio*. It was reprinted in 1914 in the *Catholic Library*. The version in metre to our loss is now not known. For "Orton close prisoner," the MS. reads "Orton Dyce prisoner." But there was no Dyce among the prisoners in the Tower during 1585, but Henry Orton, a likely man was then a "close" prisoner. For the charge against Atteslow, see *above*, pp. 129, 136.

‡ Christopher Roe's name appears in the *Tower Bills*, from 25 March, 1585, till 4 August following (*C.R.S.*, iii, 19). Richardson is apparently the same as John Richards, who came to the English College Rome in 1582, and he was still there when this was written (Foley vi, 154). So the pretended prognostic must have been alleged by Roe.

§ For Parry, the Cardinal of Como and the Jesuits, see *The Month*, July, 1902.

LXII.

LETTERS AND SPEECH AFTER THE TRIAL.

April 15 and later, 1589.

Life of Philip Howard, 1630 (1857), pp. 96–103, and 142.

CHAPTER XV. WHAT HE DID AFTER HIS CONDEMNATION.

The day after his Condemnation he writ, and sent this ensuing Letter to the L^d^. Chancellor [Sir Christopher Hatton].

My special good Lord. I am most hartily sorry that I was so prevented by my hasty departure from the Bar, presently after the Sentence pronounced upon me, as I wanted time to make humble suite for her Majesty's favour. And I am very glad that I have this opportunity of writing to your Lordship to make humble Petition unto her Majesty in my behalf for her gratious favour together with my most harty grief for any thing whereinsoever I have offended her Highness in all ye course of my life. As also to give your L^d^ship humble thanks for your honourable goodness always extended towards me, and to become a most earnest suiter for the continuance thereof to my Wife and Children. And as a dead man to this world, and in all good will whilst I live, your Lordships most affectionate I humbly take my leave, beseeching God to send you all honour and happiness in this world to his glory, and my poor soul a joyfull meeting with yours in Heaven. The day after my Condemnation.

Your L^d^ship's most humbly
at commandment till my last
PHILIPP HOWARD.

But in another Letter to Father Southwell he declares that his meaning in those words of the precedent Letter wherein he acknowledged a hearty grief for having offended the Queen, was not for any of those things whereof he had been arraign'd, but in respect he had so long time waited upon her, it could not be, but that he had offended her many wayes in the cours of his life, and being then desireous to ask pardon of the meanest person living thereby to be the better prepared for death which he dayly expected; much more he thought it convenient to do the same of the Queen. And so much he declared also to the Gentleman who was then his keeper, adding withall that he would never make submission, or crave pardon of anything whereof he was arraigned, considering he had committed no fault therein, and therefore would never bely himself. To the same effect he writ then also a Letter to the Queen herself with protestation of his innocency; the which yet was not delivered, by reason the Ld Chancellor was of opinion it would rather incense her against him, than otherwise. He resolved moreover if he should be put to death for that cause, publickly to declare himself innocent and faultless therin: And because Catholicks were not sometimes permitted then to speak any thing for the clearing of themselves, he therefore provided a writing by which he declared his mind and thereof writ divers copies both in English and Latin with his own hand and subscribed with his name, intending at his execution to cast them amongst the people, in case he were not permitted to speak. The form of them was as follows.

Seeing Almighty God hath vouchsafed of his infinit goodness to call me being the meanest of all his servants, and most unworthy, I must confess, of so great honour to bear witness of the Catholick Faith, and Roman Church, I thought it fit, for preventing of all sinister practices, which might be used either to the disgrace of my faith or discredit of my self, to testify that under my hand, in as effectual manner as I could, which I am ready to seal with my blood, by the grace and assistance of our Lord, whensoever need and occasion shall require: that neither the innocency of my mind, nor integrity of mine actions may be defaced by the untrue suggestions of others (as to men in my state it often happens) nor my firm resolution in the Catholick and Roman Faith, perverted by the false reports of evill disposed persons. For albeit I must acknowledge my self most frail, and a heinous sinner, yet as I am bound to maintain in my self the name and faith of a Catholick man (which next unto God I hold in greatest price and account, and which every faithfull Christian ought to esteem above all other things whatsoever) so do I most desire that all men should take me for such an one, as in truth I am; and that no man should be either mislead or beguiled by malicious and untrue reports to think otherwise of me, then both my words and deeds do plainly testifie. Wherefore for the satisfaction of all men, and discharge of my conscience before God, I here protest before His Divine Majesty and all the Holy Court of Heaven, that I have committed no treason, and that the Catholick and Roman Faith which I hold, is the only cause (as far as I can any way imagin) why either I have been thus long imprisoned, or for which I am now ready to be executed. And I do most firmly, resolutely and unmoveably hold and believe this One, Holy, Catholick, and Apostolick Faith. And as I will die in ye same so am I most ready at all times, if need be, to yield my life for defence thereof. And whatsoever ye most sacred Council of Trent hath established touching faith and manners, I believe and hold. And whatsoever it hath condemned, I condemn in my soul, and renounce here under my hand, and abjure from the bottom of my heart. And I do most earnestly desire, that all Catholicks conceive this opinion of me, and take me so, as I have protested myself to be, and not credit any untrue reports that have, may, or shall be spread of me to the contrary: for as Christ is life unto me, so account I death a most happy and glorious gain unto me being in defence of His Faith, and for His Holy Name. And thus I will conclude with beseeching Almighty God the Father of mercies, and God of all consolation to grant peace unto His Church, charity and grace to mine enemies, salvation and felicity to the Queen, and realm, and to me as an untimely fruit (being born before my time) and the meanest of all His servants a constant perseverance in His Holy Faith and love of His Divine Majesty. Amen.

By me a most humble and obedient child of the Catholick Roman Church.

PHILIPP HOWARD.

The same in substance which is contain'd in this Writing he told unto the Gentleman his keeper, as himself signify'd in a private Letter to F^r^. Southwel which I have seen: to wit, that at his death he would protest he died only for Religion, and was wholy guiltless of any true

crime against the Queen. And when the Gentleman told him: But if some ask you then of particulars, whether you had required a Mass to be said for the good success of the Spaniards, &c., what will you say His answer was this. "Marry deny it as I did in my examination and arraignment." The Gentleman replying that he thought a man at that time would speak as afore God. He answer'd that a man who fears God would do the same in any place, "and since I deny'd, saith he, in a place of open Justice, you have no cause to doubt that I will deny it at my death, and that I did it not." The Gentleman perceiving thereby his determination gave notice thereof unto the Lord Chamberlain and some others of the Council, who thereupon as it should seem, perswaded the Queen that he might not be put to death, with whom some also that were well affected towards him (as the Chancellor and Treasurer) did concurr, contrary to ye mind and desire of others who were his ...enimies....

Chapter XXI. The Care of his Conscience. (p. 142.)

In his examinations and at his trial at Westminster before the Lords his Peers, he ever constantly denied that he either willed Mr. Bennet the priest to say a Mass of the Holy Ghost for ye success of the Spanish Fleet, or that he told either Sir Thomas Gerard or Mr. Shelley that the prayer of 24 hours should be for that intention, and in his private letters to his Lady he often did the same, adding withal (as she told me) that he was so newly made a Catholick before his Imprisonment, that he knew not that there was any such Mass as of the Holy Ghost.

Yet after his condemnation writing to Father Southwell (tho' therein he doth protest he could not remember that ever he had said any such thing to Mr. Shelley, or that he ever mentioned a Mass of the Holy Ghost to Mr. Bennet) he desired to know whether it were any burden or no in conscience unto him to have so resolutly denied those things; seing on the one side they upon their oaths had testified that he did them, and on the other he knew really he had wished well to the Spaniards in his speeches, tho' he could not call to mind he had done that of which he was by them accused. And of this he desired to be resolved, as he said, out of a fear of doing wrong to his accusers; being ready at his Execution, which he then expected every day, to charge himself with the most, lest they might be thought by many to have altogether untruly accused him,—entreating Father Southwell moreover to signifie as much unto his Wife and other Friends, lest they might remain with the same evil opinion of his accusers,— in case he judged him in conscience bound thereunto, now that he had truly manifested unto him as much as possibly he could say in their behalf against himself.

LXIII.

A WITNESS ON EITHER SIDE.

1.

Father H. Garnet to Father General Aquaviva.

London, 1 September, 1589.

Stonyhurst College MSS. Grene *Collectanea P.*, II, f. 55. Father Chr. Grene tells us that he copied from the English College, Rome, Codex A, p. 240.

This volume is no longer extant, though pages from it survive in the Stonyhurst and Westminster Archives; but our original is not there. Father John Gerard has published an almost full translation in *The Month*, February 1898 (xci, 124) an analysis will therefore suffice here. Owing to the great caution then necessary Garnet omits all names, and often uses disguised terms, *veterani*, *comitia*, *creditores*, but their significances can easily be guessed, as older fathers, Easter congregations, the faithful. The Jesuits were wont to report at intervals on the state of their missions, and from these reports points were extracted to compose the Litteræ Annuæ, which were printed, though necessarily somewhat after date. Neither Garnet nor Broughton, whom we shall hear next, were present at the trial; and this has perhaps enhanced the contrast between the extreme sympathy of the one and the antipathy of the other.

ANALYSIS.—On my return to town about Easter, I found all Catholics afflicted at the condemnation of a most noble earl. He had been in solitary imprisonment for four years for having tried to escape abroad, in order to live like a Catholic. Now he was arraigned on false charges, and for the Catholic faith, and was condemned to death on the 14th of April, to the great regret even of the heretics. This was shown after the Earl had answered the charges admirably, and the jury of peers had retired, when an acquital was considered certain. But when the Earl left the Hall, with the axe-edge turned towards him, cries of anger and remonstrance resounded afar.

The principal charge was that of asking prayers for the success of the Spanish Fleet. In reality prayers were being said both in the Tower and in other prisons to ward off a rumoured massacre of Catholics. No other prayers could be proved, especially as of the two deserters who gave evidence against him, one wrote an apology though he afterwards reverted, like a dog to his vomit.

Even when the jury of Peers admitted that the prayer was for the Spanish Fleet, a memorable discussion followed, whether prayer was treason. The judges (no longer an honoured body) were called in, and consulted.

Some refused, but some agreed to take the affirmative upon their consciences. The jury thereupon accepted the affirmative on the conscience of the judges. And when some great persons refused to condemn, Cecil declared that the Queen only wanted sentence, not execution.

After condemnation he only said *Fiat Voluntas Dei*. There was no charge against him except religion, or things which are not crimes in Catholic eyes, or charges against others and long since refuted by them, or even charges against non-catholics. For instance, relieving priests, writing to Cardinal Allen, reconciliation to the Church, readiness to serve the Catholic Cause. This Cause, they said, included all the plots of Campion, of Allen, of the Pope. Every charge of the last 20 years, including those against Payne, Parry, Babington and Mary Stuart, was recapitulated.

He daily expects death. The delay is only to make sure that everything is made prey of; even the entailed property, and his wife's dowry, is in the lawyers' grip. But if he lives, the avarice of others also may be gratified, and the immense hatred of his adversaries. Perhaps I may send more about all this later.

This will indicate how ingenuous our nobles are, how resplendent their piety, what horrors heresy has introduced. Courage for even greater sufferings is not wanting. Yet many, alas! are lost. So pray for us.

Four elder Fathers met the day before yesterday. The later arrivals are doing well.

Condemnatio Com: Arondelii. 14 Apr., 1589.

Scripsi mense superiori* ad D. V^am^ ex mediterraneis insulæ partibus in quibus tum degebam. Ex quo tempore Londinum veni, ut in paschalibus comitiis negotia nostra cum creditoribus, quorum maxima turba huc confluit, serio tractem.

In ipso adventu reperi mirum in modum afflictos ac perturbatos omnes, summos, medios, infimos, ex condemnatione nobilissimi cujusdam apud Anglos Comitis, qui cum ex Anglia aufugiens comprehensus forte fuisset, quatuor ipsos annos carceris squalorem, totius familiæ solitudinem perpessus est, optuma dumtaxat conscientia recreatus, quippe qui nihil sibi amplius consciret, quam quod Catholicus esset atque in eas regiones commigrare studeret, in quibus, ut Catholicum decet, libere vivere liceret. At nunc tandem productus et partim de falsis criminibus, partim de Cath^ci^ hominis constantia atque officio accusatus, capitis damnatus est 14 Aprilis, summo vel hæreticorum ipsorum dolore atque mæstitiâ: Hujus doloris insigne indicium est, quod cum et objecta crimina Comes egregie diluisset, et religionem quæ criminis loco objiciebatur constanter professus esset, dum secedissent 23† partim Comites partim Barones, quorum erat (more regni in magnatum accusationibus) de Comite inquirere, ac sententiam suam ad Judicem, qui hac in causa comes Derbiensis erat, referre, omnium ordinum homines, interim plane inter se affirmabant, Comiti se quidem antea infensos fuisse quod multa et magna contra regni statum ab eo vel facta vel cogitata audivissent; gaudere tamen se quod adeo egregie se purgasset, ut nemo dubitare jam possit quin ab inquisitoribus illis, in quibus resideret totius Angliæ nobilitatis splendor, facile absolveretur. Ubi tamen pronunciata sententia, ex aula egresso Comiti, securim, conversa in faciem acie (quod in nobilium principum judiciis mortis indicium est) præferri populus præter expectationem vidisset, tantus repente ortus est clamor, ut ad nonnulla stadia per fluminis ripam delatus fuerit, aliis Reginæ humanitatem desiderantibus, quæ virum tam strenuum tam insignem, tam eleganti forma condemnari juberet, aliis indignum esse conquerentibus capite plecti homines quod Deum orassent.

Nam inter alia quæ objiciebantur præcipuum erat illud, et in quo tota causa vertebatur, quod presbyterum quendam rogasset, ut Deum pro felici Hispanicæ classis successu oraret, cum revera in turri Londinensi aliisque carceribus perpetua oratio divisis in singulos diei horis noctisque haberetur, eo præcipue tempore quo ultimam internecionem omnes expectarent, nullamque aliam orationem ab eo expetitam probare adversarii potuissent, præsertim cum e duobus defectoribus qui contra eum testimonium dicebant, alter scripta ad Comitem epistola sceleris sui veniam petierat, quamvis ut erat inconstans ad vomitum reversus, iterum eadem attestatus, habitus sit contra Catholicum testis idoneus.

Est autem illud sempiterna memoria dignissimum, quamvis duo illi testes in re tanta audiri minime debuissent, tamen admissa ab

* *Mense superiori.* There is clearly something wrong here; if the error is not in the date. If he returned for the Easter season, then his letter written before returning could not be described in September as one of *mense superiori*, "last month."

† The panel contained 24 names, but only 23 peers sat. See p. 250.

inquisitoribus rei veritate (rogasse scilicet comitem uti pro Hispanica classe oraretur Deus) diu conquisitum fuisse, essetne crimen læsæ majestatis pro hispanica classe orare; cumque in illud consentire multi se velle negassent, advocaverunt ordinarios regni judices quorum ordo olim summe venerabilis, nunc maxime infamis est, interrogatosque num ex ipsorum conscientia crimen illud esset læsæ Majestatis: quorum nonnullis suam conscientiam interponere recusantibus, aliis vero interponentibus, imo vero pronuntiantibus in quæstionem læsæ majestatis adduci posse eos qui aliter judicarent, una voce omnes rem totam in Judicum conscientias rejecisse, atque ita innocentem a multis Pilatis quasi lotis manibus e Pharisæorum sententia damnatum. Fertur in illo secessu, cum e magnatibus illis nonnulli constanter recusarent Comitem damnare, Cecilium Thesaurarium æternam sibi damnationem imprecatum si comes capite plectendus esset, id dumtaxat Reginæ placere ut condemnetur.

Audito Inquisitorum judicio rogatus Comes numquid haberet quod afferre posset, quominus ex Inquisitorum sententia morti adjudicaretur? nihil aliud respondit quam hæc ipsa verba *Fiat voluntas Dei*, itaque nihil omnino commotus sententiam mortis excepit. Et sane nihil plane illi objectum fuit præter religionem, eaque quæ vel crimina nulla sunt apud Catholicos, vel si crimina, aut manifeste falsa, jamque olim ab iis quibus objecta fuerunt refutata, aut certe ab iis perpetrata qui Catholici nunquam habiti fuerunt. Hujusmodi fuerunt ad Cardinalem Alanum scripsisse, presbyteros recepisse, reconciliatum fuisse ecclesiæ Romanæ, paratum semper animum præsetulisse ad promovendam Catholicam causam, in qua voce (Catholicæ causæ) includi urgebant omnes illas proditiones quas vel presbyteri vel Jesuitæ vel Campianus vel Card. Alanus, vel Papa denique ipse, Catholicæ causæ defensores, sive in Anglia, sive in Hibernia, sive contra regni statum, sive contra Reginæ personam moliti sunt: nihilque in hoc regno fere ullius momenti 20 hisce annis gestum est, nullaque persona in judicium vocata, ne Painus quidem, Parrius, Babingtonus, Regina ipsa Scotiæ, quorum non aliqua mentio in hoc judicio, vel ad Catholicorum contumeliam vel ad Comitis condemnationem quasi per recapitulationem facta sit.

Ergo vir ille multo magis fide ac religione quam generis nobilitate illustris mortem in dies expectat, cujus differendæ causa unica est num bona omnia mobilia quæ Comitis fuerant jam fisco cessere, ejusque familia universa nefariorum hominum direptioni aperta ac pene dejecta: quin et immobilia omnia, sive quæ ad hæredes pervenient mortuo comite sive quæ dotis loco Comitissæ assignanda sunt, jam fisci sunt, nulla habita vel innocentum liberorum, vel dotis uxoriæ ratione: quare si vita prorogetur, erit unde expleatur et pecuniæ sitis multorum, et immensitas odii quo familiæ hujus miseriam adversarii expetunt. Hujus tragœdiæ pleniorem historiam brevi fortasse transmittemus. Haec sufficient in præsentia, tum ad rem ipsam Dominationi v^ae^ significandam, tum ad mortales omnes commonefaciendos, quali nobilitate, quibus ingeniis, qua pietate, quo splendore, qua republica eversa, qualia nobis monstra hæresis obtrudat. Sed in his omnibus non deest animus ad majora, Deo præstante, Catholicorum quisque suam ad sortem se preparat, quæ etsi differri possit, penitus tamen (ni Deus opem

acceleret) auferri non potest. Interim solamur nosmetipsos spe futuræ quietis qua posteri saltem nostri fruentur; tum hac ipsa tempestate quæ nobis non potest non esse utilis modo officio nostro non desimus. Unum illud non solum nos qui oculis intuemur, sed vos etiam quorum animus præsens nobiscum est, affligit, quod videamus tot animas, quæ sola Reginæ conniventia salvæ esse possent, et jam cupiunt, in gehennæ incendia quotidie ruere, quibus V. D^io ut et nobis omnibus pro sua charitate consulet quantum poterit.

Nostri omnes id est vestri valent optime: Convenimus* nudiustertius simul quatuor veterani:† juniores abfuerunt, qui tamen et valent et proficiunt plurimum, adjuvante illo, qui vestris precibus quotidie nobis propitius redditur. Dominus V. D. servet incolumem primo Septembris.

2.

Richard Broughton to Richard Bagot.

London, 16 April, 1589.

Historical MSS. Commission, Report iv, Ap. p. 335. The original is among the papers of Lord Bagot at Blithefield, Stafford. Though inferior to Garnet, in his utter inability to see below the surface, this witness is most valuable to us as setting forth the frame of mind of the ordinary protestants, of the jury, of the public. Every utterance of the advocates is for him like gospel truth, and he cannot believe that the Earl's words about fighting against the Pope, were really uttered at all. He is puzzled at the Earl not grovelling for mercy according to the fashion of the day, being incapable of seeing that the whole trial was a refusal, not of mercy only, but also of the barest justice.

Yesterday Lord Arundel being arraigned for high treason, fourfold, principally, was found guilty. Some part in the fore part touched the treason committed in the life of the Queen of Scots, for the Queen's death, somewhat vehement by exposition of his letters and witnesses agreeing, the 2nd his absolution from loialty of subjection &c. by known Jesuits—letters of practice for invasion of the realm upon the arrival of the Spanish fleet. Masses of requiem and Te laudamus or such like solemnity, said with extraordinary devotion of prayers in hope of foreign invasion.

Upon full consideration all the 23 peers, severally upon his conscience and honour, with hand stricken upon his brest, pronounced *guilty*, and judgment accordingly given. But before judgment being demanded by the clerk of the Crown to allege what he could say, after the verdict or sentence given by his peers, why judgment and execution should not be awarded, he very humbly with lowe curtesy prayed my Lord Steward's grace to be means to her Majesty for these things, *viz.*, that his debts, which he did not well know by reason of his long imprisonment, might be paid—that he might see his wife, whom he had not seen for seven years or thereabouts, and his child whom he never saw; and that his wife and child might be defended from injuries, and made no petition for mercy to be shewed to himself, and yet during the time of his arraignment he stoutly stood to denial, and would seem to make small account of Sir Thomas Steward [*sic* for Gerrard] and other witnesses produced. Some

* Father Gerard, as cited above writes, "Mention is found in Garnet's letters of meetings for the biennial renovation of vows by those not professed. To this practice Garnet attached great importance, though they were occasions of special danger." Garnet had in fact introduced the practice into England.

† The older missionaries seem to have been FF. Garnet, Southwell, Gerard, and Oldcorne; Holtby and Currie, were probably among the "juniores." But the order of their arrival is not yet certain.

noted it strange in respect of life, that he would not crave mercy for himself, the rather that in respect upon his arraignment he protested most earnestly, that for the safety of her Majesty, he would spend his life and living against the Pope or any foreign potentate, as some did conceiue him.

As touching my Lord of Essex's going away, &c., &c.

LXIV.—THE EARL TO LORD BURGHLEY.

The Tower of London, 1589, 1590.

1.

7 June 1589.

Printed in *Calendar of Hatfield House MSS.* iii, 414.

I have received notice by my cousin Brunkard how her Majesty had granted me access of my officers at convenient times in his presence, and also leave to walk with him for taking air, either privately in the garden, or as he should think fit. His thanks to her Majesty. Is sure so great a favour could never have been attempted, but by his Lordship, to whom he expresses his gratitude.

Yesternight William Dix was with me, by whom I perceive that besides Arundel possessions (which were my wife's jointure) there are other lands fallen to her Majesty, which were left out of the feoffment, including those lands out of which were assured, both to mine uncle Harry and divers poor servants of mine, their annuities. I beseech you to be a mean unto her Majesty for her gracious goodness to be extended towards my uncle and my poor servants, whose lamentable estate will otherwise find but small redress; Sir Roger Townsend is so resolute to part with nothing more than he shall be by law enforced.

I perceive likewise that there is a claim pretended by Mr. Attorney to the deed of gift I made to him and Sir Roger for the discharge of my debts and saving them from indemnity, and that he grounds this claim upon a letter of mine, as though I had made it but upon trust. I protest I cannot remember any such letter; but in whatsoever I wrote, my meaning was to make a deed of gift to them of all my goods whatsoever, for the discharge of my debts and their own security, in respect they stood bound in sundry bonds for me. And yet I cannot deny but that I had thus far a trust in them, that if I had been able to discharge them of those bonds, by sale of land or other wise before my death, they would then have resigned it again to me. But by any other mean I could never expect it again, for I meant in law to pass it clearly and absolutely unto them; and I intended to make all my goods theirs only, properly and wholly, to alien, or dispose of as they would. And truly, if the deed came short of my meaning, they have much to answer, whom both they and I did trust in this behalf. Wherefore, since many poor creditors rest unsatisfied (as I am informed by Dix) in respect the deed doth hang in this suspense, and they are stayed from selling such things as otherwise they would for their contenting, my most humble suit is, that you would call for the deed and examine its validity. And if in your grave judgment it appear sufficient, that then you will give them leave to proceed in the sale of such things as they intend.

[Understands by Dix how his Lordship is disposed to favour all his causes, and to set down an allowance for maintenance of himself, his wife and poor children. Expresses his most affectionate and grateful thanks.]—7 June.

Seal, Endorsed by Burghley. "Earl Arundell out of the Tower." 2 pp.

2.

THE COUNTESS OF ARUNDEL TO LORD BURGHLEY.

7 June, 1589.

Hatfield Calendar, iii, 415.

Thanks for his kindness to Lord Arundel and herself, especially for this last favour of procuring my poor lord some enlargement, whom close keeping had much decayed.

3.

THE EARL OF ARUNDEL TO LORD BURGHLEY.

Tower, 27 July 1589.

R.O., *Domestic Elizabeth*, ccxxv, 41, Autograph.

My specyall good lord, I understand by my cosen Brunkard, that he hath receyved knowledge from Necton of a certayne proportion which your lo: hath vouchsafed to set doune for my expenses, & by conferring with him I find the same to be very lardge & ample to answere every thing that shalbe eyther requisite or necessary. Wherefore since I perceyve dayly more & more that your Lordships fatherly care & goodness wants in no respect towards me & seing thankfulnes is the only recompense which eyther your lo: I am sure, expects or I am able to make for the heape of all your bountiful fauours, I am very desirouse not to omytt any opportunity that may expresse the same so often as I may do it, without being to troublesome unto you. And bycause no man can wytness better how much & deeply I think my self bound unto your lo: then this berer my cosen Brunkard; I thought I could not make a more significant declaration of my thankfull harte then by ioyning my letters with his reporte, & confirming with myne owne hand the testimony of his mouth. And for that his curteouse usadge to me hath deserued thankes, & I am sure your lordships kind acceptation thereof wylbe bothe plesing unto him; & the best requytall that I can any wayes yeeld him. I humbly beseech your lo: to give him thankes for all the curtesy he hath used to your poore sonne, He hath been an eyewytnesse how much I find my helth bettered by the open ayre, which by the meanes of your lordships most honourable goodness, I enioye; & as I am thereby preserued from sicknesse, so hath my lyfe bene I doubt not by the same delyuered from all other peryll. God is the giuer of all benefytts & to his Ma^{ty} must I for them acknowledge myself moste principallye bound; & remembring with all the instruments which he of his mercy vouchsafeth to use for the help of his seruants: both my self & my lyfe do owe [to you] that dett that I shall be euer most redy with the dutyfullnes of the one & service of ye other, to declare; that as I haue found a most kind & carefull father in my greatest neede; so I carry the mynde and desire to performe the duty of a most affectionate sonne, & of this during my

lyfe to my uttermost in all occasions I will neuer faile. And thus commending myselfe & my miserable estate to your lordships most fatherly protection & consyderatyon (by which the one is chiefly comforted & ye other contynually bettered) I beseech your lordship to think that as your poore sonne desireth no worldly thing more, then the contynuance of your fauoure: so it is & shalbe his daily care & most ernest desire by all the meanes he possibly may to express ye gratuity of his mynd for the same & so humbly take my leaue, this xxvij^{ty} of July 1589.

Your lordships faithfull sonne at
Your commandement most bounden
PHILIPPE HOWARDE.

Sealed and addressed as in no. 5.

4.

THE SAME TO THE SAME.

The Tower. 26 September, 1589.

Hatfield Calendar, iii, 432.

Understands from cousin Brunkard the proportion of money he weekly receives is by Burghley set down as defraying all his charges (apparel only excepted). Finds it by proof very large; but as he has daily needs touching apparel, begs Burghley to set down allowance therefor, which he will in no sort exceed. Begs warrant for his removal from hence to such other lodging as Burghley thinks meetest, or to refer it to Mr. Cooper. "For this lodging grows very unpleasant, wants all comfort of air, and most part of the winter is altogether barred from the sight thereof." Has been there about ¾ of a year.

Begs Burghley to take such order for the substitution of Edward Hamlyn, already allowed of by the Privy Council as his servant, in place of him who has been with him 3½ years, and is very ill.

Endorsed by Burghley, "Earl of Arundel, allowance for apparel, removing of his lodging, Hamlyn to wait upon him."

5.

THE SAME TO THE SAME.

The Tower, 30 March, 1590.

R.O., *Domestic Elizabeth*, ccxxxi, n. 48. Autograph.

My specyall good lord: I am desirous to trouble your lo. as seldome as I maye: albeit I haue founde that, doinge for me hath semed no trouble vnto you. And as he that is vnthankful for benefytts alredy bestowed, doth iustly make himselfe vnworthy to receyue any more; so before I begin my sute, I am to giue your lo. humble thankes for the sume of mony, which you vouchsafed to allowe me aboute Michelmas last by Mr. Coopers mediatyon, to furnish me with some necessary wantes. And in respect of the benefytt, I may truly saye, that it was indeed more than expected & a greate deale more then I wold haue presumed to desyre. But for the Quarter ending at Christmas, and for this nowe ended at lady daye; I haue receyved of Necton nothing at all. I wante euery daye some thinge or other touchinge my apparrell (albeit they be but tryfles) I have nede of physick, & many necessaryes

which I would prouide, yf I had wher with all to buye them : wherfore, myne humble desire vnto yor lo. is, that I maye receyue so much for ye present to supply my present wantes ; and haue such a quarterly allowance sett downe for ye tyme to come, and as it shall please your Lo. to appointe. It maye seame superfluitouse to put such a father in mynde of his sonns afflicted estate, as hath showed himself a father not in name only but in deede, & it is not convenyent for me to be tediouse vnto your lo.

And yet although I haue ended my sute, I cannott thynke it fytt to ende my letter without myne humble thankes for your lo. former & manyfold fauoures. And I will conclude with commending ye miserable estate of your poore sonne, full of all mysery & voyde almost of any comforte, to your Lo. fatherly protection & fauourable comyseratyon, which I do most humbly and ernestly desire, that therby I may daylye receyue some increase of good to the reliefe of this, my most myserable condytion, by the meane of the same goodnes of your lo., which I have befor aboundantly tasted, & by which after being long shutt vp close & sytting in ye shaddowe of deathe, I came fyrst to enioye the comfortable benefytt & light of the open ayre, and whereof your poore sonne stands now in greatest neede. And so remayninge most bounde, and desirouse to be more bounde vnto your lo. to whome I have been so deeply bounde, I humbly take my leaue, thys last day of March savying one.

Your lo^ps^ poore sonne allwayes
at yor comaundement most assured
PHILIPPE HOWARDE.

Sealed with signet, and addressed.—To the ryght honorable and my syngular good Lorde, the Lord Burghleigh, Lord highe Tresorer of England, dd.

Endorsed by Burghley.—Ult. Martii, 1590, Er. Arundell.

LXV.

SOME FABLES.

How much fables, born of religious fanaticism, had to do with the Earl's misfortunes has repeatedly appeared. Indeed, according to the principles avowed and acted upon at the trial—to be associated with traitors even by a false charge, involved automatically a share in the sentences that ought to have been passed upon the guilty.

Here are samples of further fables from England, Scotland and Ireland sent to Burghley and Walsingham by their Protestant advertisers.

1.

AN IRISH FABLE.

From Munster, 30 January, 1587.

Hatfield Calendar, iii, 215. Endorsed by Burghley, "30 January, 1586 Brought by Rosyar, Attorn, in Munster. Holland a priest."

William White (*pro* Shane Oge) to his cousin Roger Wynstone at Waterford.

Discoursing of the affairs of Ireland and England with his cousin Shane Fitzgerald, Master Coorke of Clonmel and one Master Holland who was the Earl of Arundel's man, he understood from them secretly

that Master Coorke, should come into England with the next wind, with bulls and dispensations, indulgences and pardons, who hath professed by oath to preach and teach the Catholic faith privily there to such as will draw to him. He mindeth to lie in one Warr's house in Thames Street, or else in one Corbett's house in Old Fish Street. Dr. Crawghe is already in Munster with bulls and pardons, and mindeth to do the like, and will be most commonly at my Lord of Dunboyne's, my Lord of the Caer, the White Knight's, Sir Patrich Walshe and Victor White's of Clonmel, to continue them therein, and to win the people to be ready to help the Spaniards at their coming.

Master Holland will come disfigured and shaven, and hath vowed by oath to kill the Earl of Leicester, the Lord Treasurer and the Lord Graye, though he lose his life therefore. All this is to be done before the latter end of March next

2.

Scottish Fables.

Scottish Calendar, ix, pp. 669, 680. Elizabeth's stupidly selfish policy of attempting to gag the nation in respect to the problem of the succession, resulted of course in much irresponsible talk among Protestants and Catholics alike. The following are Protestant stories professing to retail their Catholic neighbours' confidences.

Thomas Fowler to Walsingham, Edinburgh 15 January 1588 (extract).

[Name illegible] wrote of a practice by the papists of England with the Earl of Arundel, who would prove himself a title to the Crown, and next, if he could get it. The copy of the pedigree sent also hither.

William Asheby to the Same, Edinburgh, 15 February 1589 (extract).

Here arrived lately three fugitives, called Stocker, Bellamy and Heath.* Upon their arrival here, it was given out that the Earl of Arundel was escaped out of the Tower, but presently I understood by a letter of Mr. Aldread† of these three that were broken out of Newgate. I have acquainted the king of their coming, desiring that they may be stayed, till I understand of her Majesty's pleasure towards them. Whereunto he condescended. But they find favourers here to convey them from place to place, and cannot yet be apprehended. The Land of Fernihurst‡ first received them from hence into a house of . . . of Pluskye. . . .

* George Stocker [? Robert] Bellamy, and Thomas Heath, were all imprisoned for their faith. Stocker, had endeavoured to escort a lady to a convent, and had been in prison since February 1588. He is also mentioned in the Tower Disorders (*above* p. 194) in October. This shows that the date February 1588 given in the *Calendar* must be *old style* and that the true date must be 1589. For Bellamy and Heath see *C.R.S.*, ii, 283, v. 154, 162–165. By September, 1589, the three had succeeded in escaping abroad to Spa (*Additional Calendar* p. 280).

But not long after Bellamy was seized by Duke Casimir, the great *condottiere* of the German Protestants, and was sent back to the English prisons. After another spell or two there, he procured liberty by money. His testimonials from Stocker, Hythe, and Broye are in Lansdowne *MS.* 96.15. see Morris, *Troubles*, ii, 51. Bellamy's own story (25 November, 1589) is R.O., *Dom. Eliz.* ccxxviii. 31.

† Solomon Aldred, a spy and informer, see *The Month*, April, 1904.

‡ Apparently Sir Andrew Keir.

3

English Fables.

A. Thomas Cely to Ld. Burghley, 8 Dec. 1590 (abstract).

R.O., *Domestic Elizabeth*, ccxxxiv, n. 48.

I have already informed of treason spoken unto doctor ector by doctor Marten, who was the eryll of Arundels doctor martin : You gaue me a letter to Alderman Byllyngesley to apprehend him but d. Marten was gone. His wife & goods are since gone to Dunkirk, and doctor ector has passed over Spaniards, &c.

The Irish have Irish tricks. You are reported to favour d. Ector.

Morgan the "poticary" complains that the bills of the Earl of Desmond [in the Tower *C.R.S.* v. 28] are not paid.

At end this note.—Examen doctor Smyth of doctor ectors behaviour.

Vol. ccxxxv, n. 22 is a similar note from Cely, undated. It gives much the same story as above.

B. Robert Weston's Confession.

R.O., *Domestic Elizabeth*, ccxxxviii, n. 126. On the 20th of April 1591, Robert Weston (who is not to be confused with William Weston the Jesuit, or Edward Weston, D.D., who may be Robert's brother), sent in a statement in which he betrays various Catholic friends, whom he had known at the Seminaries of Rome and Rheims. In this extract he says about the Earl of Arundel,

The papistes do make iust accounte that yf yt pleased God to call her ma^tie, wch ye lord forbyd, that the Earle of Arundell is the only man appoynted by them to be chiefe of this lande, as yt appeareth in theire catalogue, wherin besides they nominate and appoynte other chiefe governors of the state of this realme. . . .

Besides they have divers privat prayers to this effecte amongst them, that yt would please god to prolonge the lyffe of ye Erle of Arundell.

After this Weston professes to describe "the Order" of reconciliation to the church. It will be remembered that the mere fact of reconciliation was counted as high treason two years before in the indictment of the Earl, who powerfully repelled the charge, which was nevertheless considered as proved, though no evidence whatever was brought in confirmation. It might have been for that reason that Weston was now desired to speak on this subject, and he did not disappoint his patrons.

The order of the papistes reconciled into the Church of Rome.

[It begins with five oaths, 1. In denial of the Queen's Supremacy, and in confession of the Pope as Vicar of Christ. 2. In confession to have been before in a state of damnation, and that the Protestant Bishops are limbs of the devil, permitted to tempt the elect. 3. In case of uproar and dissention between Her Majesty and the Church of Rome, they will take the Pope's side, and spend life and goods in defence of the church. 4. Confession of the seven sacraments [but the fellow is only able to name three aright]. 5. That the Pope can forgive sins, and excommunicate princes, through Jesuits and seminary Priests, none of whom are liable to sin or error.

Then the convert says the *confiteor*, and the Priest pronounces an absolution which ends with an assurance of salvation, but does not contain the familiar words—In nomine Patris, et Filii etc. The holy water is sprinkled, and they chant *Cantate Dominum* (*sic*).].

No doubt there are some things true here. No doubt the convert is required to confess the seven sacraments with his hand on the gospels. But as Weston was more than 50 per cent. wrong in so simple a task as reckoning up the sacraments, so his mistakes are even greater in describing more abstruse doctrines.

To the present writer it seems that the traitor intended to describe the creed of Pope Pius IV, which had then lately been introduced and is still in use. The convert recites it with his hand on the Gospel. The errors in Weston's version are indeed past numbering, but whatever he says more or less truly may be more or less recognised in Pius's Creed. However this may be, Weston was no doubt a traitor to truth, as well as to faith and fidelity.

LXVI.

SERVANTS AND SICKNESS.

1.

The Privy Council to the Lieutenant of the Tower, 4 May, 1589.

The Privy Council Register, edited by Dasent, *Acts of P. Council*, xvii, pp. 155, 159.

At White hall the 4th of May, 1589.

Present.—Lord Chancellor, Lord Chamberlain, Mr. Vychamberlain.

Lord Arundel in the Tower.

A letter to the Lieutenant of the Towre and Mr. Henry Bronker, esquire, that when her Majestie is gyven to understand that the Erle of Arundell dothe complain of some indisposytion and inward greefe, for remedy whereof he dothe desyer to use the advyse of somme physytion, her Majestie is pleased that Dr. Smythe with the redde hedde (*sic*) shall have accesse unto him.

Another letter was written to the said Dr. Smythe to the lyke effect of the former for his repayer to the said gole (*sic*).

2.

The Lieutenant of the Tower to Sir Francis Walsingham. 22 August, 1589.

R.O., *Dom. Eliz.*, ccxxv, n. 65. Original.

Right Honorable, for answeare of your Letter of the xixth of August. I have spoken with the Earle of Arundell: in the presence of Mr. Cooper: and he hath made choyse of Edward Handlyn, irishman to attend on him in the place of Anthony Rumneye: which Handlyn was his footeman, and hath serued him about xiij or xiiij yeares. He is well knowen to the Lo. Admirall, and was preferred to the said Earle, by the Countesse of Hertford.

According to your direction I have deliuered your Letter to Mr. Florence McCartney, and herin inclosed I haue sent you his Letter.

Beseeching your Ho. to remember my suite as occasion may serue: I humblie take my leave. ffrom the Tower the [*blank*] of August 1589.

Your Ho. most bounden to command:

OWyn Hoopton.

Addressed.—To the Right Honorable Sir Francis Walsingham, knight principall secretary to her Maiestie.

Endorsed.—22 August 1589, from Sir Owen Hopton, The Earle of Arundell hath made choise of one Edward Handlyn an Irishman to attend on him in the place of Anthony Rumney.

3.

THE PRIVY COUNCIL, TO THE LIEUTENANT OF THE TOWER.
25 March, 1592.

Dasent, Vol. xxii, p. 364.

25 March, 1591–2.

Lord Arundel in the Tower.

A letter to Sir Michaell Blont, knight, Lieutenante of the Tower. Whereas there is one [*blank*] Bateman a servant of the Erle of Arundelle's, whoe is very desireous to be admyted to attend on the Erle of Arundell in his chamber, these shalbe therefore by vertue hereof to require you to permytt the same [*blank*] Baytman to waight on the Erle, and to remove out of that place the Irishman that now attendeth upon him. Wherein these shalbe your sufficient warrant.

4.

THE SAME TO THE SAME, 21 January, 1592-3.

Dasent, Vol. xxiv, p. 16.

At Hampton Courte the 21st of January 1592.

Present

The Lord Archbishop	Lord Buckhurst
Lord Keeper	Sir Robert Cecyle
Lord Admirall	Sir John Wollye
Lord Chamberlain	Sir John Fortescue

Lord Arundell and his servants in the Tower.

A letter to the Lieutenant of the Tower. Whereas we are informed from you that Robert Burchall and Luke Bateman,* latelie attending uppon the Earl of Arundell there in the Tower, are fallen sicke as he can have noe service of them, and that yt is desired that Thomas Rookewoode and Richard Ramsey maie be permitted to attend the said Earle in their places, theis shalbe to requier and aucthorise you upon the sight herof to admitt the said Rookewode and Bateman (*sic*) in place of th' other two to attend the services of the said Earle within the Tower, holdinge suche course with them, as you have hetherto held with the others, and this shalbe your warrant.

5.

THE SAME TO THE SAME, 18 March, 1593.

Dasent, Vol. xxiv, p. 122.

From the Courte at S. James' the 18th of Marche 1592.

A letter to the Lieutenante of the Tower to permitt either [*blank*] Gaile or [*blank*] Hall surgeons to have accesse unto the Erle of Arundell in the Tower to cure him of a fystule, whereof he is dangerously sicke.

* This Luke Bateman may be the same as the man perhaps erroneously called Dateman *above* p. 131.

LXVII

MONEY MATTERS.

1586 to 1595.

The following statements of accounts are all addressed to Lord Burghley, as Lord Treasurer, and refer either to the levying of the crushing fine imposed by the Star Chamber, or to the entire confiscation of his goods at the attainder, though he was allowed some money to keep up the family. Perhaps some of the clauses are made retrospectively, others perhaps prospectively; but all are official and contemporaneous. In the originals the figures are Roman throughout: Lord Burghley preferred them to Arabic. Here they are modernised, and the formulas are also much simplified, especially where certain clauses and headings have been already printed in full by Canon Tierney.

1. A COLLECTION OF THE EARL OF ARUNDEL HIS DEBTS, AS WELL TO HER MAJESTY AS TO OTHER CREDITORS. A° 1585.

B.M. *Lansdowne MSS.*, xlv, n. 84. Official return, signed by Dix and Osberne 22 Jan. 1585–6. Tierney, *Arundel*, pp. 742–745, prints §§ 1, 6, 7, omitting §§ 2, 3, 4, 5.

1. To her Majesty in the receipt of the Exchequer, and Court of Wards and lyveries [9 heads of indebtedness]. Totall	5,351li	6s	9d
2. To the Ladie Margarite Sackvile the Erle his sister for her mariage money, *viz.* by the Dukes gyfte 2,000li and by the said Erle his gyfte 1,000li ...	3,000li	0s	0d
3. To diverse creditors by specialtie* Ld. Lumley Rob Allison, Mr. Skynner (*pluries*), Cornelis Cator, James Pemberton, John More, Thomas Gittens, Edmund Gresham, Prannell, Dr. Stanhope in 1585, John Shearing, Wm. Cantrell, to the late Person of Greystoke, Alderman Martyn, Anthonie Holmede, Tho. Groome, Thomas Dudley & Robert Wrote, John Holland and Edmund Anguish	7,641li	15s	8d
4. To diverse without specialtie, William Cornwallis in payment of the late Duke's debt to Sir Richard Southwell. To Hamet Carpriony (for the jewel given to the Queen, for New Year 1584, 110li), Ld Henrie Howard, Grey, pothicary (4 bills), Rd. Bowcer, 31 others, also Dr. Martin's house for a year 9li	1,203li	7s	6d
5. To divers victuallers at London and Rumford (51 Persons, & servants amongst whom Luke Bateman, John Dowdale, Rob. Medley, Fitzsimons, &c.)	781li		17½d
6. Sum total of Debts due Mich. 1585...	17,977li	11s	4½d
It is to be remembered that the said Erle payeth yearly interest for the somme of 4,666li 13s 4d			

* "Specialitie" appears to be here used for "special and generally usurious clauses." As appears below the charge on these debts was often ten *per cent.*

(parcel of the sum of 7641li 15s 8d due by specialtie) the sum of				466li	12s
7. A brief of the Estate of the Erle of Arundell's lyvinge. Revenue from *Norf.* 2086li 5s 1d; *Suff* 516li 3s 6d; *Essex* 138li 3s 8½d; Cantab 78li 6s 8d; *Suss. and Surr.* 267li 7s ½d; *Arundell* 841li 13s 8¾d; *Salop* 135li 14s 9d; *Lincoln* 133li 4s 6d; *Midd.* 52li 13s 4d. Sum total ...				4,249li	7s 9¼d
Revenue of Dacre Estates to the Countess				737li	9s
Whereof Paid out—					
To the Queen—tenths and rates	197li	6s	1d		
Rents, &c., to others ...	6li	6s	4d		
Annuities for life	1.088li		12d		
Fees to keepers, &c. ...	176li	15s			
To the manor of Hayling ...	112li				
Sum Total	1,580li	8s	5d		
Remaineth for charges of him, wife, children, &c. ...				3,406li	13s 4¼d
Allowance to wife				500li	

2. Lands at Northwich.

B.M. *Lansdowne MS.*, xlvii, n. 45. 2½ pages.

The case in question between the Earle of Arundel and Sir Edward Clere, knight 1586.

At Thetford a dissolved priory of canons held lands at Northwiche &c., which were granted to the D. of Norfolk by Henry viii. Did they pass by Henry's Patent, with 4 other questions;

Referred to be resolved by Sergeant Gawdy and Sergeant Puckeringe.

3. Dacre Estates. 1587, 1588.

The controversy about the Dacre Estates is illustrated by several letters of Privy Council in 1587–1588, which, however, appear to have eventually left the dispute, just as it was found, in the hands of the lawyers At first (Dasent, *Acts of Privy Council*, xv, p. 93, 94) May, 1587, they appointed receivers under the Lord President of York. In July the receivers are ordered to pay £600 to each side. In January 1588, there is quarrelling between the followers of both sides, and again in February.

In April (vol. xvi) their Lordships refer the business to the Council of the North, and on the 22nd of September add that their finding is to be maintained. But on the 10th of November, 1588, they remit the whole question back to the course of law. Herewith the Council Registers cease to give further information.

4. Accounts for 1589–1590.

R.O., *Domestic Elizabeth*, ccxxxii, 27.

A declaration of William Neetons receits from 17 June 1589 to Easter Even 1590 given in 20 May 1590.

RECEIPTS are acknowledged from eight receivers, viz., Henry Doyle in Norfolk, Thomas Tymperley in Suffolk, Edward Carill for Sussex and Surrey, Richard Kinaston for Shropshire, Richard Beadow for Middlesex, Edward Bridgeman for Bedford, John Brodell for Cumberland and Westmoreland, George Sotherton for Essex.

The total received is 879li 15s 2d 3½f

EXPENDITURE—To diets of late Earl, of the Countess (present allowance is 16li the week); To apparrel and napery (with 12s 11½d for fustian for the outside of a doublett for Edward Hamlin, his servaunte, &c.) and to Henry Brouncker, Esq.

In all 939li 11s 8d 2f

Money yet due to be paid 108li 17s 4d 2f

In hand 40li 3s 6d 2½f

Deficit 68li 13s 9d 3½f

Also Necton's own recompense.

5. ARUNDEL AND HOWARD HOUSES, 1588 TO 1592.

B.M. *Lansdowne MS.*, xlv, n. 85. Abstract.

Description and limits of the Arundel House Estate, of 3½ acres, also names of 18 tenants of whom Dr. Attesloe is mentioned first.

A survey was made 4 April 1590, and the sums necessary for repairs were then fixed.

The Countess of Arundel desires the tenement, east of the inner gate —also two chambers called the Nursery [*Margin*—Delivered 17 December 1590 to the right honourable the Lord Chamberlain].

The Lady of Arundells lodgings, containing 3 ground rooms, three rooms over them, three lobbies and the roof on the west side of the great court, &c., &c. (*Six other clauses.*)

At the end.—By the Lord Chamberlain's solicitor it appeareth that his Lordship is content the said lady shall use all the parcels aforesaid except the garden. But for herself and her children she shall have a key in her own custody, and also to take her pleasure in any other garden.

f. 199. In com. Midd.—From Howard House, 1588 to 1592, Due to the Queen's Majesty 265li 16s 8d

f. 201. In Lease of Arundel house, &c., 1588 to 1592 120li

M^m the house was used by the Countess of Arundell 1588 to 1590, for which time the rent riseth to 60li

From December 1590 to 1592, lease to Lord Chamberlain 60li

6. CERTIFICATE OF BURIAL EXPENSES, 1595.

B.M. *Lansdowne MS.*, lxxix, 74. Abstract. There seems to be some small error in the total. Tierney has printed literatim §§ 1, 2, at pp. 398, 408 of his *Arundel.*

Copie of the certificate of Mr. Necton, touchinge the buryall and other things touching Philipp late [Earl of] Arundell. The Ld. Treasurer hath signed a copy with Mr. Necton.

1. *Money remaining unpaid to the late Earl.*

For Dietts, 27 Sep.–19 Oct, 1595 whereof due to Lieut. of T. for three weeks 18li, and so resteth 6li which the Earl has given to Thomas Rookwood for his great pains attending upon him by the space of three years, as appeareth by the bill signed by the Earl ...	24li		
Also for his pension of apparrell, physick, &c., for one quarter before Michaelmas 1595, at the rate of 100li by the year; to go to Rookwood as above	25li		
Also for wages of three servants for ½ year to Michaelmas, 1595... ...	5li		
Sum Total			54li

2. *The Particular Charges of the buriall in the Tower of London.*

Inprimis for a coffyn	10s		
To the Parson for breaking the grounde in the chauncell where the bodie was buried and for his attendance there	40s		
To the Clerke for making the grave, and for his attendance, and for paving the same againe ...	13s	4d	
For three yardes of black cloth to cover the coffyn...	30s		
Sum			4li 13s 4d

Mr. Lieutenant desireth to knowe your Lo. pleasure what shall be done with the said three yardes of black clothe that covered the coffyn. [*Then in Necton's hand.*] *This your Lordship hath appointed to the minister of the churche.*

3. *Money yet unpaid due to the Countesse.*

Diets from 27 Sept., 1595 to 29 Oct.	24li		
Half-year Pencion, apparrell for child from 27 Sept. 1595 to 19 Oct.	66li	8s	4d
Half-year wages, &c., of servants	45li		
			135li 8s 4d
Total			194li [?] 6s 8d
There remain in Mr. Lieutenant's hands (all debts paid), and to go to Rookwood as aforesaid... ...	39li	15s	1d

XLVIII.
THE INTERIOR MAN.

With the above papers on money matters, our records of the Earl's relations with the outside world are nearly terminated. The fact of chief importance for the remainder of the Earl's life was the cessation of blood-lust in the self-willed, unreliable Queen. But about this we have little information. When Garnet wrote nearly five months after the sentence, the victim was expecting execution daily. In April, 1591, as we have seen from Robert Weston (*above*, p. 308) Catholics were still praying hard for his life to be spared. On the other hand that blood-thirsty but well-informed wretch, Phelippes the decipherer (*see* Appendix 342), had early prognosticated that there would be no execution. The earliest Catholic information that the terror was over is in a letter from Richard Verstegan to Father Persons, now in the Archives of See of Westminster, *Collectanea B*, fol. 335, dated 30 March, 1593. He says :

" The Earl of Arundell is still in the old state. In no hope of libertie during the Queen's life, nor in doubt of death during the Admiral's credit."

It seems that the Admiral in question would have been Charles Lord Howard of Effingham, then Lord High Admiral, a cousin of Earl Philip. But one may also suspect it might have been Lord Thomas, the Earl's brother, who already held high rank in the navy, and might have been called Admiral by one living abroad as Verstegan was. However this may be, from March 1593, and even for a good long time before, the immediate danger had passed.

It now remains therefore for us to cite the few memorials, which his biographer has preserved of his *vie intime*, letters to his wife and friends. They are quoted unfortunately, not in full, but after the fashion of the hagiographers of that day, only in such parts as illustrate this or that virtue. We, too, must therefore cite them in the same way.

1.
Devotion to his Wife.

In one to herself thus he writ. " Mine own good Wife. I must now in this world take my last farewell of you, and as I know no person living whom I have so much offended as yourself, so do I account this opportunity of asking you forgiveness, as a singular benefit of *Almighty God*, and I most humbly and hartily beseech you even for His sake, and of your charity to forgive me all whereinsoever I have offended you, and the assurance thereof is a great contentment to my soul at this present, and will be a greater I doubt not when it is ready to depart out of my body ; and I call God to witness it is no smal grief unto me that I canot make you recompence in this world for the wrongs I have done you ; for if it had pleased God to have granted me longer life, I doubt not but you should have found me as good a Husband to my poor ability by His grace, as you have found me bad heretofore."

In one to Fr. *Southwell* speaking covertly he says, " I call our *Lord* to witness that as no sin grieves me any thing so much as my offences to that party (his Lady), so no worldly thing makes me loather to depart hence than that I cannot live to make that party satisfaction according to my most ardent and affectionate desire. *Afflictio dat intellectum*, Affliction gives understanding. *God* I hope of His infinite mercy who knows my heart, and has seen my true sorrow in that behalf has remitted all, I doubt not, and so has the party of her singular charity to my unspeakable comfort."

To another Friend thus: "I pray you tell my Wife, that if I live, next to the comfort that I shall reap thereby of having opportunity to make satisfaction by pennance for my heinous and manifold sins against *Alm. God*, my greatest joy is that thereby I shall shew her what a great desire I have (if I had been able) to have made amends in some part for the many and great injuries which I have done her." Finally in another to herself: "He that knows all things, knows that which is past is a nail in my conscience, and burden the greatest I feel there: my will is to make satisfaction, if my ability were able: but tho' I should live never so long, I could never do it further than by a good desire to do it, which while I have any spark of breath shall never be wanting." (*Life*, pp. 144–146.)

2.

CONSTANCY.

Altho' his constancy in the Catholick Religion was manifest to the world, and hath been already sufficiently declared, yet it will not be amiss out of his own Letters here to insert some clauses whereby the same may more clearly appear. And first, thus he writ in one to Fr. *Southwell* soon after his condemnation. "It is my dayly Prayer I call our *Lord* to witness, that I may continue constant in the profession of His Catholick Faith to the end, and in the end; come life or death or whatever els. And He knows, who knows the secrets of all hearts, that I am fully resolved to endure any death, rather than willingly yield to anything offensive to His Divine Majesty in the least respect, or to give just cause of scandal to the meanest Catholick." And in another not long after to the same Father. "Assure your self I will never to save my life accuse myself unjustly or belie myself and so have told my Keeper more than once, and *God* who knows the secrets of all hearts, knows that I am ready to endure any death than deny, or stagger in the least point of my faith."

The like he signified in many other Letters written about that time both to the same Father and to his Lady. And in one to Mr. *Keeper* some years after, and not long before his own and Fr. *Southwell's* death, who then was in the *Tower*, thus he saith: "For which Religion my self have allready laid down my life, and am at all times ready to leave it whensoever in that quarrell it shall be demanded if all the lives of the men in the world were included in my neck; and this *God* knows to be true."

About a year or a little more after his commitment to the Tower, one Mr. *Mac-Williams* who had the keeping of him for a time, at his departure told him that if he would but show so much conformity as to read Books, both he and others thought it would draw him out of the Tower; whereupon giving notice of it to his Lady he writ in these words: "I know it is not unlawfull if a man have leave, and I am sure by the grace of *God* that none of their false Books shall make me as much as once stagger in my faith. Wherefore I pray let some zealous, learned and discreet man be talked withall, and sue for leave for me at his hands if he shall think it lawfull, and that I may do it without any scandal in the world to the Church; otherwise I would

rather choose to lie here all the dayes of my life, than by any act for my liberty offend or scandalize the smalest member of the Catholick Church." (*Life*, pp. 147–149.)

3.

Cheerfulness.

Much might be said of his willingness and contentment in suffering and endureing such crosses and afflictions as befell him during his long Imprisonment: but I will satisfy my self with only setting down his own words taken out of some of his Letters, which I have seen. First therefore is one to Fr. *Southwell* thus he sayes. "For all Crosses touching worldly matters, I thank *God* they trouble me not much, and much the less for your singular good Counsel, which I beseech our *Lord* I may often remember." In another about some vile slanders raised of him which I have already mentioned in the Eleventh Chapter* these be his words. "I assure you I thank our *Lord* these slanders trouble me no whit, but rather yeild me comfort considering that I sustain them for His name."

In one to his Lady a little before his last troubles he writes thus. "I beseech you for the love of *God* to comfort yourself whatever shall happen, and to be best pleased with that, which shall please *God* best and be His will to send. For mine own part I find by more arguments than those I understand from you, that there is some intent (as they think who work it) to do me no good, but indeed to do me the most good of all: but I am, I thank *God*, and doubt not but I shall be by his grace, ready to endure the worst which flesh and blood can do against me." And so indeed he declared himself really to be by the courage, cheerfullness and alacrity which he showed at the time of his arraignment, and in all occasions when his adversaries were most violent against him. For, such and so great it was, that the Gentlemen who then was his keeper, told him many thereby judg'd him as desperate, and some of his friends wondered he would speak so roundly to those who were his examiners in the *Tower* about the business whereof he was afterwards arraigned, telling one of them, as I said before, that he cared not for the worst he could do against him and to another, who threatened him with hanging, "That the sooner the better if it pleas'd *God* it should be so." The which he did, as he signified to Fr. Southwell, to show that he regarded not their threats: "not out of any anger, sayes he, or malice towards them, but to let them know my conscience being clear, and my cause good, that I cared not for the worst they could do against me."

That which chiefly caused this courage and chearfullness in him, was the great confidence he had in the mercy and goodness of Almighty God, that He would ever help and assist him in all occasions: for so he writ to a Friend whom he certified of his readiness and chearfullness to enter into the last combat at that time when he look'd every day to be carry'd into execution. "I assure you I prepare myself as much as my weakness and frailty will permitt, and I had rather perform more, than come short of that I promise, especially wherein my frailty and

* The lying charges in question regarded incontinence, p. 76, and intemperance, p. 77.

unworthiness and infinit sins may justly make me doubt of the performance. But I know *God's* mercy is above all and I am sure He will never suffer me to be tempted above my strength ; and upon this I build with all assurance and comfort." And in another to his lady " I beseech you, take all as well as you may, assuring your self *God* doth all for the best to those yt love Him and suffers none to be tempted above their strength, and upon these two I have cast my anchor of hope." (*Life*, pp. 152–155.)

4.

Religious Foundations.

The following is the more interesting when we remember the state of persecution, during which it was made. The " Foundation movement " among the English Catholics did not become actual for a full generation later. See P. Guilday, *The English Catholic Refugees on the Continent*, 1558 to 1795, when the Countess of Arundel, who still survived, was among the foremost and founded the House of Tertians for the Jesuits at Ghent.

Concerning his good desires and purposes, if God had given him life to see better times, than those in which he lived, tho' I doubt not they were many more than I have had notice of, yet these three following I find expressed in some Letters which he writ to his Lady from the *Tower*. First that he meant to have made two of his principal houses religious places, and restored all the religious lands in his possession ; for thus he said. " I pray you let my Son know when he comes to any years of discretion, that I was fully resolved to make *Howard-house* and *Norwich house* religious houses, and to restore all religious lands (if I had lived to see a Catholick time) and desire him for the love of *God* and on my blessing to do the like (for so *God* will prosper him) except he shall be otherwise advised by such as I submit my self to their judgment."

Secondly he intended of new to have founded a Chantry, whereof he writ in these words. " I have appointed 2500[l] for the building of a Chantry, which I wish my Son to do, if ever he be able, or those that have dealing in my lands before he come of age, if the time serve, and the lands be restored."

Lastly he was resolved in case he outlived his Lady to have left the world, and become Religious, for thus he sayes. " I call *God* to witness that if it were not in respect of you (albeit I lived) every body should well see, if I were not utterly kept from it against my will, that I esteem as little of the world, as she by her usage has seemed to esteem of me, and that I despised her as much as she did me." And a little after. " If you should [think*] well, I would (if the *Queen* took me not away by a violent death), voluntarily sequester my self from this sea of misery, or els want of my will." (*Life*, pp. 158–160.)

LXIX.

FATHER ROBERT SOUTHWELL, POET AND MARTYR.

The later years of Philip Howard were considerably influenced by Father Robert Southwell, S.J., the poet and Martyr, a Norfolk man, and belonging to the family of Horsham St. Faith in the outskirts of Norwich, where fealty to

* " Think " So the sense seems to require, but the text gives " not do."

the Howard Dukes was strongest. Robert however had been abroad for his education at Douay, Paris and Rome since he was fifteen, and returned a Jesuit priest in 1586, his first letter, 25 July/4 August, is printed *C.R.S.*, v. 309, and here we already find confidential news about the Earl.

It was proposed to the Earl of Arundel by the ministers of State, and I believe by the Queen herself, that if he would only consent for honour's sake to bear the sword as usual before the Queen to church, and there wait till the end of service and evensong, he should be set free. But he suspects some fraud, and either will refuse altogether, or at least will do nothing, which after consulting his spiritual directors, he does not consider lawful: for his resolution is not to swerve a hair's breadth from his duty as a Catholic.

This period was that of the Babington Plot, which Southwell so emphatically called "that wicked and ill-fated conspiracy": as to which not even "our enemies, had they had the choice, could have chosen aught more mischievous" (*C.R.S.*, v. 314). One of the earliest victims involved was Father Weston, who after August, 1586, remained a prisoner till the end of Elizabeth's reign. More (p. 184) says that Southwell, went to the Countess's household, on the *death* of her previous confessor about the same time. Through her, we may suppose, his influence was felt by the Earl. *Vice versa* the Earl must also be considered partner in the benefactions, which she bestowed on the missionaries, through Southwell. As to these Father John Gerard wrote in later years.

"Father Southwell, while he was with us, had indeed a great benefactress [*i.e.*, Anne, Countess of Arundel] by whose liberality he maintained himself and other priests, and kept a private house [*domum privatam*], wherein he usually received the superior [*i.e.*, Father Garnet] when the latter came to London. It was here that I first saw them both; and here also he kept a private printing press, whence issued his incomparable works."—J. Morris, *John Gerard*, 1881, p. 71.

Father John Gerard had returned to England in the autumn of 1588, and came to London not long after, probably in November. It was certainly after Father Weston's transfer from the Tower to Wisbech, on which occasion, being allowed to beg for alms, Weston had paid visits both to Father Southwell and probably also to Lady Arundel (*Troubles*, ii, 210). This took place in July presumably (*P.C. Registers*).

As Gerard says that Southwell's press was in a "private house," *domus privata*, we cannot think that this meant Howard House, better known as The Charterhouse. But Martin Marprelate and his allies, accused Archbishop Whitgift of tolerating a Catholic press at work under the Countess of Arundel's patronage at the Charter house, while he was persecuting Puritan printers, Strype's *Whitgift* I, 579–580. The Marprelate writers, however, were notably reckless in their accusations, and their unsupported words must not be pressed. "Howard House" had been seized by the Crown; it is unlikely that the Countess had authority there. But so far as the statement, taken broadly, supports Gerard's story, it may most legitimately be received.

Occasional intercourse by letter between Southwell and the Earl may have begun soon after Father Weston's capture in August, 1586. But of course the warmth and feeling of the correspondence would have been strongest during the months which followed the condemnation, when death was expected at any moment. Father Henry More, *Historia Provinciæ Anglicanæ*, 1660, p. 186, has printed a Latin translation of a letter from Southwell on this occasion, and a re-translation is printed by Foley, *Records, S.J.*, I. 335, 336. The first half, which treats of general topics, like final Judgment is here omitted. The second half, strikes a more personal note.

Many are fearful in death. First it is certain; the time, the place, the manner and state uncertain. Lastly it is especially terrible amid doubts as to what will follow. These fears either do not exist in thee, or are light. The time, the manner, the place is certain. The recompense to follow, by the assent of the universal church, indubitable. Lastly the present condition of your soul is such that you can expect at no other time to possess. The mind also is entire and the senses, whereby you are able to take the measure of death. It will not be so unpleasant on account of the loss it will bring, as delightful on account of the miseries it will cut off.

For your cause—by whatever name it may be disfigured, by what ever colour deformed in the eyes of men—is religion. The form of the accusation itself speaks this; all the more prudent and sedate think it; all the rest of the charges alleged prove it. Proceed with the patience and equanimity you have hitherto done, and whatever be said by the envious, the Psalmist's words will be true in this your calamity, In memoria æterna erit justus, ab auditione mala non timebit! Many sigh for thee; the tears of many flow for thee; never was dying man more justly lamented. Men everywhere predict that your constancy in death, your humility in suffering will profit the Church of God far more than the labours of a long life, so indignant are all men with this iniquitous sentence. Martyrdom confers the highest honour on any man: to you it will bring a double palm, for you will be able to say with the psalmist, "Praestitisti decori meo virtutem," since you have crowned nobility with the cross of Christ. If thou hast sinned, no sacrament more powerful than such a death, no satisfaction more valid. If you are well-deserving (as indeed I think) no crown more excellent, no laurel more glorious than martyrdom.

Let therefore neither fury nor fiction nor the sword, nor glory of splendid attire, nor bribes, nor entreaties, nor any other violence seduce thee from the charity of Christ. Thou wast born that thou mightest be of God. That thou livest is from God. Thou encounterest this death for God. That death will confirm the vacillating, will render the strong yet stronger still. Friends applaud, strangers are astonished, adversaries are confounded, whilst you beget for yourself in both worlds an eternal name. A happy beginning gains a more happy conclusion for him, whom hitherto neither a long imprisonment nor the sentence of death, nor the hope of pardon, nor deceitful promises soften. The cause is God's, the conflict short, the reward eternal.

Lastly to treat of the affairs of your soul. I would not that you afflict yourself too much by fasting, prayers and penitential works, in order that you may be the stronger for the last combat. Your desire of confessing, the means being now precluded, and the contrition of a humble heart, expressed by shedding your blood in this cause, will be as full a remission of sins and of all punishment due for them, as in baptism, so great is the prerogative of martyrdom. I desire you the happiest issue of the conflict begun. Let us hope by the help of God to see each other hereafter in glory. Farewell.

On his side the Earl managed to send out several letters and messages to Southwell and other friends. They would probably have passed out with

the correspondence about property, which he was allowed to carry on, through Dix and Necton. The Jesuit writer of the life had a considerable number of such letters before him, when he wrote about the year 1628, and some of his shorter citations have been quoted already. Here is a longer passage addressed to Southwell, printed in the section on Thankfulness.

I have seen divers of his Letters to the *Ld. Chancellor, Treasurer*, and others who sometimes did good offices for him to the *Queen* in the time of his troubles, in which he ever shewed as much thankfullness as might be expected; and not only to them, but in other Letters to his Lady and other private Friends, he still did ye same whensoever there was any occasion to mention the courtesies which Noble men had done him.

But yet to none so much, as to those from whom he had received any comfort, counsel, or direction tending to the good of his soul; as among others to *Fr. Robert Southwell*, the which he expressed in this manner in one amongst diverse other Letters written to that effect. "My Dear and Rd. Father. This being the last time that I think I shall ever send unto you, I should be very ungrateful if, wanting all other means of expressing my thankfullness I should not now at least acknowledg it in words; and as I must needs say, I could not be more bound to any man, nor to any but one of your calling so much; and all this in a time when such comforts were most wellcome, and even to the benefit of that which in all men is most pretious: so in heart, our *Lord* who sees all secrets, sees my good will and thankfulness, and I doubt not will reward you amongst all your other worthy merits for these bestowed on me his most unworthy servant; and in as much thankfullness and good will as my heart can conceive, I remain yours till the last moment."

The like gratefull mind and great affection he also ever bore and alwayes shew'd unto Fr. *William Weston* by whom he was first reconciled, and for his sake unto the wholl Society; for thus he writ in a Letter to one of them. "I call *God* to witness I have, and do principally in my heart most affect, reverence, and honour your vocation above others, for that I have seen, hear'd, and read, as also in respect that from one of that calling I received the greatest good which ever I tasted." (*Life*, pp. 133, 134.)

In another section we read

He wrote to Fr. Southwell. "I beseech you for the love of God, procure me to be remember'd in the morning of my Execution in as many ways as you can by that meane, which you know most effectual to do me good, and by one of them [that is a Mass] at the hour of my last conflict as near as may be conjectured." (*Life*, p. 158.)

Southwell, however, on his side, was able to make a more permanent answer through the press, of which we have heard both Gerard and the Marprelates make mention. The larger of these works, though anonymous, undated, and set out with an assumed place name, speaks intelligibly enough to those who knew the circumstances.

An Epistle of | Comfort *to the Re-* | *verend Priestes, &* | *to the Honourable,* | *Worshipful, and other of the* | *Laye sort restrayned in Du-* | *rance for the Catholicke* | *Fayth.* Printer's device. Matt. 11.

Regnum cœlorum vim patitur, | et violenti rapiunt illud. The Kingdome of heaven suffereth violence, and the violent beare it awaye. | Deus tibi se, Tu te Deo. Imprinted at Paris. (No date or printer's name; pp. 1 to 217; A to CC in 8s. Printed on *English* Pot paper, which shows that the place-name is fictitious.)

The Epistle TO THE READER, begins thus :—

Having written this Epistle of comforte to an especiall frende of myne, and not thincking at the first to lett it passe anye farther; not onlye the tyme to which it principallye serueth, but the entreaty of diuerse, enforced me so farr, that I could not but condescende to the publishing of the same, though it cost me no smale labour in altering the style. Accept therfore (gentle reader) my good will and hearty desire of thy comforte, &c. (*No signature.*)

Knowing the circumstances, especially the grievous persecution, and consequent need of reticence, under which Southwell lived, looking forward also to the similar words which occur in the *Triumphs Over Death*, there can be no hesitation in reading the following meaning into the above passages. Southwell having sent to the Earl several "Epistles of Comfort" (such as that quoted above from More) was persuaded by friends, of whom the Howards were naturally the first, to re-edit them in book form. More in fact describes the volume as written for the Countess, p. 185.

We do not know when the book came out. Southwell's years of liberty were from 1586 to 1592, and the style, which is extremely simple, probably belongs to his first period.

THE TRIUMPHS OVER DEATH, or *A Consolatorie Epistle for afflicted Minds in the Affects of Dying Friends; first written for the consolation of one, but now published for the general good of all.*—was composed on the occasion of the death of Earl Philip's sister, the Lady Margaret Howard, married to Robert Lord Sackville, afterwards Earl of Dorset. In this title we find a clear parallel to the introductory sentences of the previous volume; and here the "one" for whose "consolation" this "epistle was first written," though he is not named by Southwell, is described plainly as the brother of the departed lady. The publishers, moreover, who brought out the book in 1596, after both Southwell and his patron had passed away, did not fear to give names or initials in the introductory matter. This book has been lately reprinted in *The Catholic Library*, Vol. viii, 1914, by our member, Mr. J. W. Trotman.

Southwell's last work was *A Short Rule of Good Life*. It was written, says More, for Lady Arundel, and was printed later. There is a copy in the Lambeth Library. One may certainly surmise that the Countess would have let her husband have a copy of this. Moreover among the verses appended to the Earl's Translation of Lanspergius, the fourth set, beginning "Have speciall care to rule thy tong, Forbeare to please thy earnall will:" may quite well have been inspired by this work of Southwell's. But, of course, as the topic is a familiar one, the derivation cannot be urged. Broadly speaking however we can see that Southwell's influence and his literary inspiration must have had a considerable effect on the prisoner.

Southwell was arrested by Topcliffe, on or about the 26th of June, 1592, and on the 30th of July he was consigned to solitary imprisonment in the Tower. He was led out for trial on 18th of February, 1595, and underwent martyrdom on the 21st following.

But while he was so near the Earl during those two years, we must not build any theories on their having had intercourse. Father Henry Garnet, Southwell's superior, and then in London, was most anxious to get into com-

munication with him, but he reports again and again to Rome that he has failed, and that any correspondence is impossible. And again when describing the martyrdom, he returns to the utter seclusion in which the father had been confined, without pen, ink or paper. Of course, there *may have been* a chance note passed in here or there; but to think with Mr. Grosart that Southwell wrote his poems in prison is opposed to all probability, and any regular intercourse with the Earl must be deemed very unlikely. The only incident (often quoted before), in which both parties appear, is the following.

When the said Father Southwell was imprisoned in the Tower whensoever the Lieut. made any mention of him in his presence, as often as he did, he used ever to speak with great respect of him, calling him often *Blessed Father*. And when once the Lieutenant seemed to take exceptions thereat, saying—"Term you him *Blessed Father*, being as he is an enimy to his country?" The Earl defended him saying, "How can that be, seeing yourself hath told me heretofore, that no fault could be laid unto him but his Religion. And the Lieutenant telling him at another time, that his (the *Earl's*) dog came unto Father *Southwell's* chamber whilst he was there with him, he answered that he loved his dog the better for it, and the Lieutenant in a scoffing manner saying, it might be the dog came thither to have his blessing, the Earl reply'd, that it was no news for irrational creatures to seek blessing at the hands of holy men, Saint Jerome writing how those Lions, which had digged with their paws St. Paul the Eremit's grave, stood after waiting with their eyes upon St. Anthony, expecting his blessing. (*Life*, p. 136.)

The following verses are printed by E. Grosart, *Robert Southwell's Complete Poems*, 1872, p. 173. I have collated the text with B.M. Add. 10,422, and Harl. MS. 6921, and have followed them in reading v. 2, l. 3 "gasping" for grasping; v. 6, l. 4 "fate" for fall. The person speaking is not named in the MSS., and Grosart weakly suggests Mary Stuart. But, considering the circumstances, there can be no doubt that the person speaking is the Earl of Arundel, expecting execution, in "close" confinement. "Peer," "prowess," "helpless," "desert place," "virtue waged with blood," "now innocent I die," &c., plainly apply to the Earl, who, however, could not be named openly by a Catholic poet.

I DYE WITHOUT DESERT.

If orphane childe, enwrapt in swathing bands,
  Doth move to mercy when forlorne it lyes,
If none without remorse of love withstands
  The pitiouse noyse of infante's selye cryes:
Then hope, my helplesse hart, some tender eares
Will rue thy orphane state and feeble teares.

Relinquished lamb, in solitarye wood,
  With dying bleat doth move the toughest mynde;
The gasping pangues of new engendered brood
  Base though they be, compassion use to find:
Why should I then of pitty doubt to speede,
Whose happ would force the hardest hart to bleede?

Left orphan like in helples state I rue,
With only sighes and teares I plead my case:
My dying plaintes I daylie do renewe,
And fill with heavy noise a desert place.
Some tender heart will weep to hear me mone,
Men pity may, but help me, God alone.

Rayne down yee heavens! your teares this case requires.
Man's eyes unhable are enough to shedd.
If sorrowes could have place in heavenly choirs,
A juster ground the world hath seldom bredd,
For right is wrong'd, and virtue wag'd with blood;
The bad are bliss'd, God murdred in the good.

A gracious plant for fruite, for leafe, for flower,
A peerless gem for virtue, proof and price,
A noble peer for prowess, wit and power,
A friend to truth, a foe I was to vice.
And lo, alas! now innocent I die,
A case that might even make the stones to cry.

Thus Fortune's favoures still are bent to flighte,
Thus worldly blisse in fynall bale doth ende,
Thus virtue still pursued is with spighte,
But let my fate, though rueful, none offend.
God doth, sometimes, first cropp the sweetest flowre,
And leaves the weed, till Time doo it devoure.

LXX.
LITERATURE.

It can cause little wonder that Philip Howard should have sought in literature some relaxation amid the rigours of his long imprisonment. We have heard of his capacity as a boy (*above*, p. 18) and read his able *Letter to the Queen* (*above*, p. 101).

Father Henry Walpole, 13 June, 1594, says in his Confessions (*C.R.S.*, v. 258):—

Of the Earl of Arun[del] I do not remember anything of moment—only this that there came over to Brussels three or four years ago one Greenfield, who said he had been his keeper, or been in his chamber, but who was after of Sir William Stanley's regiment. Also I have heard say that he had written verses, which is all I remember.

2. Of the Literary work in general *The Life* says, p. 106:—

One Book of *Lanspergius* containing an Epistle of *Jesus Christ* to ye Faithfull Soul he translated out of Latin into English, and caused it to be printed for the furtherance of Devotion. He writ also Three Treatises of the Excellency and Utility of Vertue, which never came to light by reason he was forced to send them away upon fear of a search before they were fully perfected and polished. He used to read the Spiritual Books of Father *Louis de Granada* very frequently; and at other times the Works of S. Jerome, and other Ancient Fathers as also old Historiographers, particularly Eusebius, in which, as he signify'd unto Fr. Southwell, he found exceeding comfort for the confirmation of his Faith by beholding there how the Church was in her infancy.

Upon Sundays and Feasts he used to read some part of the Holy Scriptures with special reverence and humility.

Elsewhere we read that these *Treatises of the excellency and utility of virtue* prematurely sent away, were really dispatched to Father Weston for censorship.

The like humility he showed in the small conceit he had of his own writings, and of all other things which he did ; for howsoever well they were done in the judgment of others, yet did he think them full of imperfections and faults, as those treatises which he compiled in praise of virtue, were judged by him to contain great faults and gross errors, in which respect he willed his secretary Mr. Keeper to deliver them to Father Weston to be corrected. (*Life*, p. 138.)

It will be noticed that while Walpole in 1594 has heard of nothing except of verse, the *Life*, about 1630, says nothing on that subject. The reason may be partly that the verses which accompany the *Epistle of Christ* are referred to in a way, when that book itself is mentioned ; partly because the Earl's chief composition, *The fourfold meditation*, was meanwhile published under another's initials, and so remained unknown, even to the learned (*e.g.*, Pitts) as will appear below.

Manuscript Copies.

1. The most important manuscript copy of the Earl's works, is, or lately was at Crowcombe Court, Somerset ; and a description of it is included in the *Historical Manuscript Commission Reports* by Mr. A. J. Horwood in 1874. (Fourth Report, p. 372.)—

An Epistle or Exhortation of Jhesus Christ to the Soule that is devoutly affected towards him ; wherein are onely conteyned certain divine inspirations, which will teach a man how to knowe himselfe, and instructe him in the perfection of true pietie—(about 53 leaves).

The last chapter—" Of the transformation of man," is followed by " The Conclusion."

Religious poems—4½ leaves.

Copies of some deeds.

Easter, 1585, *Letter to Queen Elizabeth by Philip Earl of Arundell* (5 pp.). After writing it he fled to sea, was betrayed, brought to the Tower, then to Westminster, and penned the following Heavenly Meditation. Written against Christmas, 1587.

[*Fourfold*] *Meditation, begins* " O wretched man, that lovest earthly things "—128 (*sic*) Stanzas of six lines each.

The copies of certain deeds concerning Richard and George Buckland.

Unfortunately this MS. is not at present forthcoming. There was a sale of MSS. from Crowcombe Court at Sotheby's on the 6th of May, 1903. But this MS. volume is not found in the sale-catalogue for that occasion. And again, in answer to my inquiries at Crowcombe I was informed that the volume was not to be found there.

2. Another copy of *The Fourfold Meditation*, bound up with *The Wracks of Walsingham* is in the Bodleian Library, Rawlinson Poetry, 219. The following is the catalogue entry in F. Madan, *Summary Catalogue of Western MSS.*, iii, 1895 :—

No. 14710. [Verse.] In English, on paper ; written early in the 17th century, perhaps by D.C. [These initials come after No. 2.] 7¾ × 5¾ in. + 45 leaves.

1. (fol. 1).—Title on a detached slip [Memorare novissima tua et in æternum non peccabis], a poeme of the contempte of the world and an exhortacion to prepare to dye, made by Philippe, Earle of Arundell after his attaynder *beg.* " O wretched man which louest earthly things"—126 6-line stanzas.

2. (fol. 14v).—A brefe discourse of the holy Euchariste. Peter Heskins. *beg.*" Manhu, Manhu, what thinge is this "—27 4-line stanzas ; at end—" Finis D.C." (Partly printed in *Gent. Mag.* March 1867, p. 340.

3. (fol. 15).—A poem on contentment. *beg.* " My soul what moveth thee to be sadd."

4. (fol. 16).—A poem on the ruins of Walsingham abbey. *beg.* " In the wrackes of Walsingham. "

ff. 17 to end blank. Owned by Ανθωνο Μοργαν (f. 14) in the early 17th century, now MS. Rawlinson, Poetica 219.

Some writers before the catalogue was printed, have described this MS. as " lettered "—*Earl of Arundell MSS.* This is inaccurate. Though the name, Earl of Arundel, appears on the first page, it applies to the first poem only.

3.—A. Hackman, *Catalogi Codicum MSS. Bib. Bodleianæ* Pars. iv. (*Codices Thomæ Tanneri*, Oxford, 1860) at p. 495. Poem on death, judgment, heaven and hell, *begins* " O wretched man which louest earthlie things," *ends* " That there my heart and joye may reste, though here in flesh I be. Amen." Folio 44 to 45 of cod. 118 of the Tanner MSS., partly written by Sir Alexander Colepepper of Bedgebury.

Catalogue of Works.

I. *Letter to the Queen*, printed above, No. xxiii.

That this is a piece of literature meant to attract and to persuade a general audience, as well as her Majesty, is evident not only from internal evidence, but also from the attempt to circulate it, and the fact of so many copies remaining.

II. *The Fourfold Meditation of the Four Last Things.*

There was a surreptitious edition of this in 1606, printed by G. Eld for Francis Burton, and the title here appears as—A Four-Fold *Meditation of the foure last things : viz. of the Houre of Death, the Day of Judgement, the Paines of Hell, the Ioyes of Heaven*, &c., 1606. A fragment of this was lately acquired by the British Museum, and this was reprinted with a full description by Father Thurston in *The Month* for October, 1894, p. 230, &c. This edition is professedly surreptitious, as the editor W. H. states in his introductory letter, (Thurston *ibid.*, p. 232), and was by him published under the initials R.S., those of Father Robert Southwell. The printers of that day brought out quite a number of anonymous devotional booklets, under Southwell's initials, or colourable imitations of them, as S.L., S.W., W.S., &c. (see the British Museum Catalogue, and Thurston *The Month*, March, 1895, p. 383, &c.). So there is no wonder that Father Thurston or the authorities of the British Museum Library, at first took the work to be by Southwell, even though the internal evidence was adverse. But in course of time manuscript copies were discovered and examined ; the Arundel authorship then became clear, and was supported by the evidence of style, &c. The Crowcombe Court MS. gives the author's name ; Rawlinson Poetica 219 has inserted a separate slip with the words " *Memorare novissima tua et in æternum non peccabis.* A poeme of the contempte of the world, and an exhortacion to prepare to dye made by Philippe Earle of Arundell, after his attaynder."

The last indication of date does not exactly correspond with, "Christmas 1587," given by the Crowcombe MS. for the Earl was arraigned in 1589. Perhaps the writer meant to refer to the trial in the Star Chamber, or, more probably, only to his being condemned to prison.

There is no accessible edition of *The Fourfold Meditation.* Of the 1606 edition one fragment exists at the British Museum. A complete copy was sold as lately as 1881, but its whereabouts cannot now be traced. The fragment has been reprinted by Thurston in *The Month,* Oct. 1894, p. 230, with a full commentary (see also the continuation *ibid.*, Jan. 1896, p. 32). The manuscript copies are referred to above.

III. *Verses on Christ Crucified.*

Begins, "O Christ my lord, which for my sins"; 14 four-line stanzas. Printed *C.R.S.*, vii, 29, from the *Sydenham Prayer-book,* of about 1590. There are manuscript copies in Bodleian, *Tanner* 118, and in *Peter Mowle's* book at Oscott College. Both these have been collated by Miss Guiney (who in conjunction with the Rev. G. Bliss is preparing a volume of "Recusant Poetry"), and they permit me to print the following variations on the text printed *C.R.S.*, vii, 29, from the *Sydenham Prayer Book* at Exborough.

T stands for Bodleian, Tanner M.S., 118, Sir Alexander Colepeper's Collection, 1616. M. stands for *Peter Mowle's Book,* at Oscott College, of about the same date.

Line 4, ingraffed; T. ingrafted; M. increased. l. 7, care; M. state. l. 12, shame and payne; M. paine and care. l. 13, the; T. these. l. 13, taunts . . 14 cross; M. tauntes and scorns; which then thou didst. l. 16, still; M. may. ll. 17–20, M. *omits.* l. 21, pearced; M. wounded. l. 23 more; M. cause. l. 24, ever; M. alwayes. l. 27, learne; M. cause. l. 27, those; M. the. ll. 28–32, M. *omits.* l. 33, the; M. those. l. 38, out; M. *omits.* l. 39, melt; T. Meeke. l. 40, see . . 14 greevous; M. think upon thy. ll. 40–44, M. *omits.* l. 47, kepe; T. clean, M. save. l. 48, the purging; M. flames of quenchless. l. 49, from death; M. again. l. 52, from earth my heart; M. my heart to thee.

From this it seems to follow that the Sydenham text is the best, while M. is often eclectic and changeable.

IV. *The Epistle of Christ to the Christian Soul,* translated from the Latin of Johann Justus Lansperger (of Landsberg) Carthusian. The title of the first book is—*Liber primus alloquiorum Jesu Christi ad quamvis animam.* The third part or book is dedicated to the Nuns of Hinsperg. Here the translator begins, making Lansperger's Canons into Chapters. The fourth and fifth parts—become the Rules of Direction at the end. For the text see, *D. Joannis Justi Lanspergii, Cartusiani Opera Omnia,* Monstrolii 1888, &c. Vol. iv, pp. 312, &c.

The only manuscript copy at present known, is that of the Crowcombe MS. described above.

First Edition, before 1595; no example known. All that we hear of it is contained in these words of the second edition. It was "in such sort suppressed, as very few or almost none of the whole press came to their designed view." So it was presumably printed secretly in England and perhaps roughly; and the few volumes completed were perhaps seized by the persecutors.

Second Edition, Antwerp, 1595. There is a copy in the Lambeth Library (32.9.5) and according to the edition of 1867 "an imperfect copy in the possession of Alfred Blount, Esq." The Lambeth copy has

an owner's signature D. Fryar, perhaps the well-known Catholic doctor of Elizabeth's time (see *D.N.B.*).

Title *An Epistle in the Per* | *son of Christ to the faithfull soule. Written first by that learned* | *Lanspergius, and after translated into* | *English by one of no small fame, whose* | *good example of sufferance &* | *living hath and wilbe a memorall unto* | *his countrie and posteritie for ever.* Printer's device,—Christ preaching. Imprinted at Antwerpe, 1595, *Cum privilegio*, pp. 301, signatures A to λ in fours. On pot paper.

As the paper bears the English mark, the probability arises that (considering the period) the book was also printed in England, and that Antwerp is a blind.

" The conclusion " comes at p. 237, but this only marks the end of Lanspergius's book iii. The " Instructions " are his book iv, pp. 240 to 268. Then come 269, " A very short exercise of Love " (12 sections) ; 280, " Prayer before celebration " ; 282, " Prayer of St. Ambrose to B.V.M." ; 288, Finis.

The epistle " To the Faithfull soule-loving Readers," sig. A. 2, is reprinted in *The Month*, Jan. 1896, p. 35.

There are also five sets of verses, three at the beginning, two at the end.

a) Sig A 3 v. *A Caveat to the Reader* ; 2 stanzas of 7 lines ; *begins*, Hence Venus ; 3 sets,

b) Sig A 4. *A Dialogue betwixt a Christian and Christ hanging on the cross, written in Latine by Marcus Marulus, and translated into English*, 39 stanzas of 4 lines ; *begins*—Christian— " Sweet Soueraigne God, why mortall limmes. " A vigorous translation from Marco Marulo, an erudite Dalmatian, who died 1524. In 1577 the English Catholic printer John Fouler of Bristol, but then an exile at Antwerp, published there *M. Maruli dictorum libri sex*, preceded *inter alia* by *Marci Maruli Carmen de Doctrina D. N.J.Christi pendentis in cruce. Christianus interrogat, Christus respondet* 39 couplets. 3 stanzas of the translation are quoted by Thurston, *Month*, Jan. 1896, p. 45.

c) At the end of the book, pp. 283 to 285, *Four verses for helping a man's memorie. Begins*—Have special care to rule thy tong.

d) pp. 296–303. *A Hymne of the life and Passion of our Saviour Christ, made after the manner of an Alphabet, euerie verse beginning with eueric Letter, as they follow one another in order in the Christ crosse rowe* [*i.e.*, in the alphabet]. 23, 8 line stanzas, *begins*—Almighty God whose loue to use. The stanzas for G and L are quoted by Thurston, *ibid.*, p. 47.

e) pp. 304–308. *A Hymne wherein the praises of all Creatures are offered up unto the Creator.* 18 8-line stanzas, *begins*—O Christ the glorious crowne, of Virgins that are pure. Eight stanzas of this are printed by Thurston, p. 43 ; and five verses are inserted in the *Arundel Hymn Book.*

As to the *authorship* of these verses different conjectures have been brought forward. The book itself gives no clue. It does not follow that they are

by the Earl, simply because they are printed with his translation. Verses by other hands were then often prefixed or appended to published works. But if we remember that the Earl was himself known as a versifier, then the case is altered. Then the presumption would be that the anonymous verse was also by the chief writer. Thus Father Thurston writes, "It is hardly likely that we can be wrong in attributing to the Earl the verses, which appear in the second edition of Lanspergius" (*Month*, Jan. 1896, p. 43): similarly the editors of the *Arundel Hymn Book*. On the other hand Mr. Gillow, an admirer of Richard Verstegan, or Rowland, who was then the chief English printer at Antwerp, is strongly of opinion that Verstegan, both printed the book, and wrote the verses. *The Tablet*, 1910, i, 19, 98, 256. Father Bliss and Miss Guiney, having re-examined the subject, are of opinion that the verses are by more than one hand. That d) and e) may very well be by Lord Arundel, but that b), (which they think superior,) is more probably by Verstegan.

Third edition. Title *An* | *Epistle* | *or* | *Exhortation, of Iesus Christ* | *to the soule, that is deuoutly affected towards him.* | *Wherein* | *are contained certaine divine inspirations,* | *teaching a man to know himself, &* | *instructing him in the perfe-* | *ction of true piety.* Written in Latin by the deuout seruant of Christ | Ioannes Lanspergius, a Charterhouse | Monke | and translated into English by the Lord Philip | late Earle of Arundel. Printer's mark, IHS, with cross and nails. Permissu Superiorum M.DC.X.

Dedicatory letter, pp. *2, *3, to the Sisters of St. Clare at Gravelines, signed by I. W. Priest (that is John Wilson, the Martyrologist, *C.R.S.*, v., p. 3). He begins "This brief but most excellent *Epistle of Iesus Christ to the Faithful Sowle*, worthy no doubt both of the Author's piety and Translators Vertue, being so much by you and others desired and now the third time printed, I have thought it both to your Profit, and for your Consolation to present the same unto you," &c. This edition follows the 1595 edition page by page to p. 288 Finis, but the verses of the second edition are omitted.

There is no place of printing; but there can be little question that it came from the press of the English College at St. Omers, over which John Wilson presided. It occupied itself ordinarily with little devotional books, such as this; the style, borders, capitals here, are reproduced in other St. Omers volumes. The paper has the English Pot mark. But at this period, 1610, this does not establish a presumption of printing done in England. For then there was not much danger in importing them; whereas during the heat of Elizabeth's persecution, it was most dangerous to pass the customs officers.

In the copy before me, which belongs to the Library of the Jesuit Fathers of 114 Mount Street, there are two contemporary owner's names, Mary Cornwallis (cancelled) and William Belling. Other copies of this edition at the British Museum, and, so the fourth edition adds, "in the possession of the Rt. Hon. Lord Petre, and of the Dominican Priory at Woodchester."

It will be noticed that the Title is changed from the Second Edition. Some change was to be expected, because in that edition the translator was mentioned not by name, but by a description, which suggested that he was still alive. This had now to be altered, and the other slight modifications appear to be editor's improvements. It will also be noted that this altered title agrees with the Crowcombe MS. But whether they both have a common source, or whether the MS. copies the printed volume, cannot be determined until the MS. is available for study.

The Fourth and Fifth Editions. The title page is from the 1610 edition, with one or two trifling changes. " Dedicated by Permission to His Grace the Duke of Norfolk," &c. London, 1867 (*fifth edition*, 1871). The Publisher's Note and Dedication. Then a reprint more or less page by page until the end of the Instructions, with which Laspergius proper ends. Then " Verses for helping a man's memory," two out of four, from the 1595 edition. Finally, " A very short exercise of the Love of God," pp. 271 to 283, the end. These were 269 to 280, in the earlier editions.

V. † *The Wracks of Walsingham.* † This is a versical lament, 22 lines, over the fall of the ancient shrine of B. V. Mary at Walsingham, begins—" In the wrackes of Walsingham, whom should I chuse." First printed by Hales and Furnival, in 1867, in their *Bishop Percy's Folio* III, 470 ; Bridgett, *Dowry of Mary*, 1875 ; by Waterton, *Pietas Mariana Britannica*, 1879. Thurston, p. 48 &c. None of these editors speak definitely for an Arundel authorship, indeed they are all doubtful. But it seems that the ascription is founded on an error, and should be abandoned.

The first editors profess to quote from " The Earl of Arundel's MS. among the Rawlinson MSS." and Waterton adds " Poet 242." Now this number is evidently a mistake ; for vol. 242 is Italian verse, written in 1660, and has nothing whatever to do with the Earl (Madan's *Summary Catalogue*, III, n. 14733). The volume under discussion must be 219, which contains the only known copy of the *Wracks*, and which does refer to the Earl in its first entry.

But even for vol. 219, the description given of it—" the Earl of Arundel's MS.," is still misleading. From the official catalogue already quoted, it is the *first piece only* of which the authorship is ascribed to the Earl, and the hand writing is presumably that of D.C., who signs the second piece (see the quotation above).

To sum up, the ascription of *The Wracks* to the Earl, on the score that the MS. original is *in his hand*, or was once *in his possession*, is thus founded on a misconception ; and should therefore be abandoned. To be sure, it is not inconceivable that the poet Earl might *possibly* have written the words, but there is no indication that he did so, and neither the style nor the inspiration agrees with other examples of his work.

LXXI.

THE LAST SCENE.

After he had lived diverse years in this vertuous and pious manner to the great edification of all, and the admiration of such as had known the exceeding liberty wherein he lived while he was a Protestant : it happened in the month of *August* of the year 1595, he fell one day sitting at dinner so very ill, immediately upon the eating of a roasted teal, that he was forced to rise from table, and after some vehement casting, he entred into a Dysentery, which could never be stay'd until his very death, which gave occasion to many to suspect he was poisoned. Whereupon the *Countess* his wife forthwith sent him some antidotes, and all the remedies she could any way procure : but all in vain. For the disease had so possessed him that it could not be removed, but little and little so consumed his body, that he became like an anatomy, having nothing left but skin and bone.

Some were of opinion that the poison was put by the cook into the sauce of the roasted teal, being thereunto corrupted by one *Nicolas Rainberde*, who sometime had been the *Earle's* servant, and after was

employed by the *Queen* against him, prosecuting sundry suits in ye Exchequer to overthrow his estate; wherein when he perceived he could not prevail, and fearing perhaps some disgrace or other damage from the *Earl's* procurement, for avoiding thereof judged it his best course by such wicked means to procure his death by such a long and lingering disease. Two things there were which much encreased this suspicion. The one that tho' the *Earl* had used much endeavour to have the said cook removed, yet could by no means obtain it. The other that the said cook came to the *Earl* a little before his death, and asked him forgiveness, tho' not specifying that thing in particular. But howsoever it was, the *Earl* did freely forgive him and all others, who had any way concurred perhaps thereunto.

He had a great desire to have the assistance of Father *Weston* at his death by whose means he was first reconciled to the Church, but it would by no means be permitted, that either he or any other Priest should come to him. He desired moreover to see his brother the Lord *William Howard*, or his uncle the Lord *Henry* (made the Earl of *Northampton* afterwards) at least to take his last leave of them before his death, but neither would be granted, no not so much as to see his brother the Ld. *Thomas Howard*, tho' both then and ever he had been a Protestant. The *Queen* had made a kind of promise to some friend in his behalf that before his death his wife and children should come unto him. Whereupon conceiving that now his time in this world could not be long, he writ humble letters both to her and some of the Council petitioning the performance of that supposed promise. The Lieutenant of the *Tower* carryed his letters and delivered them with his own hands to the *Queen* and brought him back this message from her by word of mouth. That if he would once go to their Church, his request should not only be granted, he should moreover by restored to his honour and estates with as much favour as she could shew. Which message being delivered he gave thanks to the Lieutenant for his pains, and said he could not accept her Maties offers upon that condition, adding withall that he was sorry that he had but one life to lose for that cause. A very worshipful Gentleman who was present at this passage has often averr'd it to be true. And I do ye more easily believe it in regard the Lord *Buckhurst*, afterward Earl of Dorset, who was then of the *Queen's* Council and of great respect, told the same in substance to his son-in-law the L^d^. *Antony*, Viscount *Mountague*, from whose mouth I heard it, greatly condemning the good *Earl* of much want of wisdome and discretion for not accepting so great and gracious a favour, as he esteemed that offer to have been.

Not long after he grew so faint and weak, decaying by degrees, that he was not able to rise from his bed. Whereupon by the advice of his Physicians he gave over the saying of his Breviary and the reading of other books, betaking himself only to his beads and some other Devotions whereto by vow he had obliged himself; and these he never omitted till the very last day of his life, having his Beads almost alwayes with him in his bed. His Physitians comeing to visit him some few dayes before his departure, he desired them not to trouble themselves now any more, his case being beyond their skill, and he having then some business,

meaning his Devotions,* which he desired, but fear'd he should not have time sufficient to dispatch.

And they thereupon departing Sir Michel Blount, then Lieutenant of ye Tower, who had been ever very hard and harsh unto him, took occasion to come and visit him, and kneeling down by his bedside, in humble manner desired his Lordship to forgive him. Whereunto the *Earl* answered in this manner. Do you ask forgiveness Mr. Lieutenant ? Why then I forgive you in the same sort as I desire my self to be forgiven at the hands of *God*. And then kissing his hand offered it in most charitable and kind manner to him, and holding him fast by the hand said. I pray you also to forgive me whatever I have said or done in any thing offensive to you. And he melting into tears and answering that he forgave him with all his heart, the *Earl* raised himself a little upon his pillow and casting his eyes towards the Lieutenant, made a brief and grave speech unto him in this manner.

Mr. Lievtenant, you have showed me and my men very hard measure. Wherein my Lord, quoth he ? Nay, said the *Earl* I will not make a recapitulation of anything, for it is all freely forgiven. Only I am to say unto you of my last Will, which being observed may by the grace of *God* turn much to your benefit and reputation. I speak not of myself, for *God*, of his goodness has taken order that I shall be delivered very shortly out of your charge : only for others I speak who may be committed to this place. You must think Mr. Lievtenant that when a prisoner comes hither to this *Tower*, that he bringeth sorrow with him. Oh then do not add affliction to affliction; there is no man whatsoever, that thinketh himself to stand surest, but may fall. It is a very inhuman part to tread on him whom misfortune hath cast down. The man that is void of mercy *God* hath in great detestation. Your commission is only to keep with safety, not to kill with severity. Remember, good Mr. Lievtenant, that *God*, who with his finger turneth the unstable wheel of this variable world, can in the revolution of a few days, bring you to be a prisoner also, and to be kept in the same place where now you keep others. There is no calamity that men are subject unto, but you may also taste as well as any other man. Farewell, Mr. Lievtenant, for the time of my final abode. Come to me whenever you please, and you shall be heartily wellcome as my friend.†

The Lievtenant then humbly took his leave, and went out of the chamber weeping, tho' then perhaps little thinking that the *Earl's* words, or rather prophecy, would so soon have been fulfill'd in him, for within seven weeks of the *Earl's* death, he fell into great disgrace, lost his office, and was indeed committed and kept close prisoner in the Tower where he had kept others, and another Lievtenant placed, who carrye'd as hard a hand over him, as he had done over others.

* This indicates that his physician was now a protestant.

† The *Life*, p. 69, speaks thus of the Lieutenant's cruelties. "The Earl himself in a Letter which he wrote to a certain Friend of his something more than a year before his death, did signify it in this manner. 'His injuries (to wit the Lieutenant) to me both by himself and his trusty *Roger* are intollerable, infinite, dayly multipli'd, and to those who know them not, incredible : and the most that you can imagin, will be far inferior, I think, to the truth when you shall hear it.'"

The last day of his life he spent for the most part in prayer sometimes saying his beads sometimes such Psalms and Prayers as he knew by heart, and oftentimes used these holy Aspirations: O Lord, into thy hands I commend my spirit. Lord thou ar't my hope; and the like. Very frequently moreover invoking the names of Jesus and Mary. Seeing his servants in the morning, standing by his bedside weeping in a mournful manner, he asked them what o'clock it was,they answering that it was eight or thereabout, Why then, said he, I have almost run my course, and come to the end of this miserable and mortal life, desiring them not to weep for him since he did not doubt by the Grace of *God* all would go well with him. Which being said, he returned to his prayers upon his Beads again, though then with a very slow, hollow and fainting voice, and so continued so as long as he was able to draw so much breath as was sufficient to sound out the names of Jesus and the glorious Virgin, which were the last words he was every heard to speak. The last minute of his last hour being now come, lying on his back, his eies firmly fixt towards heaven and his long lean and consumed arms out of the bed, his hand upon his breast, laid in cross one upon the other, about twelve o'clock at noon, in which hour he was also born into this world, arraign'd, condemn'd and adjudg'd unto death, upon Sunday the 19th of October 1595 (after almost 11 years Imprisonment in the Tower) in a most sweet manner without any sign of grief or groan, only turning his head a little aside, as one falling into a pleasing sleep, he surrender'd his happy soul into the hands of Almighty *God*, who to his so great glory had created it.

Some have thought, and perhaps not improbably, that he had some foreknowledge of the day of his death, because about seven or eight dayes before making certain notes (understood only by himself), in his Calendar what Prayers and Devotions he intended to say upon every day of the week following, on Monday, Tuesday, &c., when he came to the Sunday on which he dy'd, he there made a pause saying,—Hitherto and no farther; this is enough; and so writ no more, as his servants who then heard his words, and saw him write, have often testified. (*Life*, pp. 112-121.)

LXXII.

FUNERAL SERMON.

22 October, 1595.

B. M. Lansdowne MS. xciv, fol. 118. Probably the minister's own MS. sent to Lord Burghley through Lady Hicks (see endorsement) in expectation of praise. Largely quoted by Tierney, *Arundel*, p. 409.

A trewe reporte of the words, wch were
used at the Buriall of Phillip late
Erle of Arundell

Mr. Lievtenaunt being asked whether he had any direction of any service to be vsed at the burial, and whether he dyed wth any relenting in his former courses & vnto both he aunswering, No: The minister began thus.

We are not come to honour this mans religion. We publicly profess, and here openly protest otherwyse to be saved: nor to honour his offence: the law hath iudged him, and we leave him to the lord, he is gone to his

place. Thus we find it trewe, wch is written, & here set downe in our booke: Man that is borne of a woman is of short contynuaunce, & full of trouble; he shooteth forth as a floure, & is cutt downe: he vanisheth also as a shadowe & contynueth not. Thus God hath layd this mans honour in the dust. Yet, as it is said in the scripture: Go and bury yonder woman, she is a kings daughter: so we committ his bodye to the earth, geving god harty thanks that he hath delyvered vs of so great a feare. And therefore let vs glorifye god with the song of debora, a mother raised vp in Israel (Iudges 5. 2).

Verse 2. Prayse ye the lord for avenging of Israel, & for the people that offered themselves willinglye.

3. Heare ye kings, harken ye princes; I even I, will sing vnto the lord, I will singe prayse vnto the lord god of Israel.

9. Myne hart is sett on the governors of Israel & on them that are willing amonge the people: prayse ye the lord.

12. Vp Debora, up arise, and singe a songe; arise Barak, & lead thy captivity captive thou sonne of Abinoam.

13. ffor they that remayne have dominion over the mightye of the people, the lord hath geven me dominion over the strong.

19. The kings came and fought: they fought the kings of Canaan in Taanach by the water of Megiddo: they receyved no gayne, no mony.

20. The lord fought from heaven, even the wynds in their courses against Sisera.

21. The river Kishon swept them, even the ancient river the gathering of waters, in the sea. O my soule thou haist marched valiantly.

23. Curse ye Merox sayd the Aungel of the lord: curse ye the inhabitants thereof, because they came not to helpe . . . to helpe the lord against the mightye.

31. So let thyne enemys perish o lord but they that love him shalbe as the sonne, when he riseth in his might: and the land had rest furty yeares.

Let us also continue our prayses vnto god
with the 49 psalme: this whole psalme was
red: it may be turned to at leysure.
Then followed last of all
this prayer.

O Almighty God who art iudge of all the world, the lord of lyfe and death, who alone hast the keyes of the grave, who shuttest it, & no man openeth it, who openest it, & none can shutt it, we give the hartye thankes for that it hath pleased the in mercy to vs to take this man out of the world: we leave him to thy maiestye, knowinge by thy worde, that he and all other shall ryse agayne to geve account that which hath bene done in the flesh, be it good or evill, against god or man. We humblye besech the, as thou haist hitherto very gloriously & in great mercy preserved thy servant our Queene Elizabeth [and] to preserve her in despyte of all her enemyes, who either secretly or openly go about to b[ri]ng her lyfe to the gra[ve her] glory to the dust: confound still all thyne enemys and [hers], or convert them if they belong to the. Blesse thy whole church and all thy people in this land: Geve thy

iudgements o lord vnto her ma^tie & thy righteousnes vnto the privy counsel, that they may iudge thy people wth iustice, & the poore wth equity: Lord shield our soveraigne, exalt thyne annoynted, wth thy hand assist, & thy right arme defend her, never let her foes prevayl against her, nor the chylde of wickednes bringe her to destruction: Banish from her court all her privye enemyes, & kepe her evermore from dissembling frends. Graunt this o most mercifull father for thy deare sonne Jesus Christs sake by the protection and comfort of thy holy spirit. Amen.

Thus farr.

1. Cor. 14. 29. Let the churche iudge.

1. Cor. 14. 32. The spirit of the prophets is subiect to the prophets

Endorsement as heading, with From my Lady Hicks.

APPENDIX.

I.

MISCELLANEOUS REFERENCES AND EXTRACTS.

The following miscellanea have either occurred since printing began, or were too slight for insertion as documents, or were orginally overlooked.

1. Ridolfi's Commission. 1569, as p. 4 above.

The passages relating to Ridolfi's commission, which are quoted in English extracts above at p. 4, are here cited in full. (1) Catena, whose life of Pius V was published in 1587, twenty years after the events referred to. (2) Gabuzio, who translated Catena into Latin in 1603. (3) From the English translation, which follows, it will be seen that Gabuzio has a failing common among inferior translators, *i.e.*, he endeavours to heighten the emphasis, and to balance the phrases of his original. His additions are here enclosed in square brackets.

Those who think that "illam de medio tollere" means "to assassinate her" probably have in their minds this phrase alone, and *per se* the words might possibly have that signification. But "illam" in the Latin text does not refer to Elizabeth, but to "sentinam." So the meaning is "to remove that cesspool." And if the Latin is somewhat complicated, making the value of the words less conspicuous, this objection does not apply to the Italian original, which is quite simple and straightforward. Besides, if the significance of the version were doubtful, the doubt should be solved by the original.

(*a*) Girolamo Catena, *Vita del Gloriosissimo Papa Pio Quinto.* Scritta da Girolamo Catena. In Mantoua per Francesco Osana, 1587. pp. 74, 75.

Del trattato d'Inghilterra contra Elisabetta Reina.

Ora pensando Pio da una parte di soccorrer la Reina di Scotia & liberala—dal altera di restituir la Religione in Inghilterra & di leuare a un tempo la sentina di tanti mali (nodrendo Elisabetta con gli aiuti suoi le dissentione in Christianità, massimamente in Francia & in Fiandra, & dando fomento a Protestanti di Germania) deputo alcuni huomini in quel regno, accioche informati degli andamenti de gli heretfci & de cattolici gliene dessero contezza, & animassero à cattolici a rimettere l'antico rito nel regno.

Indi, non essendo permesso, che ui potesse star, ne Nuncio Apostolico, ne persona publica per la santa sede, prouide con ogni diligenza, che

Roberto Ridolfi, gentilhuomo Fiorentino, il quale sotto specie di mercatantia residena in quel regno, muovesse gli animi all solleuamento per distruttione d' Elisabetta.

(*b*) Joannes Antonius Gabutius, *De Vita et Rebus Gestis Pii V., Pont.Max.Libri Sex*, Romæ, 1605. Reprinted in the *Acta Sanctorum* of the Bollandists, Paris, 1866, May, Vol. I, p. 661 §172.

Acta pro conservanda fide Catholica in Anglia.

. . . Una quidem ex parte ipsi Scotorum Reginæ, ut iam diximus opem ferre eamque omnino liberare ; ex altera vero lapsam in Anglia religionem renovare cogitabat ; simul et illam malorum omnium sentinam, seu ut appellabat ipse flagitiorum servam, de medio tollere, si minus posset ad sanitatem revocari.

§173 Fovebat enim suis Elisabetha studiis Christianorum dissidia ; et impios hæreticorum conatus in Gallia presertim et Scotia Belgioque provehens, Germanos Protestantes adjuvabat. Quare Pius nonnullis viris in Anglia mandavit, ut de rebus et Catholicorum et hæreticorum omnibus cognoscentes, cuncta perscriberent ad se ; atque ad pristinum sacrorum ritum in ipso regno instaurandum Catholicos incitarent. Sed cum haudquaquam permitteretur, ut vel Apostolicus Internuntius, vel alius quispiam Sanctæ Romanæ Sedis personam sustinens, posset ibi consistere ; omni studio faciendum curavit, ut Robertus Rodolfus nobilis Florentinus, qui per mercaturæ speciem illo commorabatur in regno, incolarum animos ad Elisabethæ perditionem rebellione facta commoveret.

(*c*) Translation. (The additions of Gabuzio shown in square brackets.)

The Transaction with England against Queen Elizabeth.

Pius was thinking on the one hand of bringing help to the Queen of Scotland, and of setting her [entirely] free, and on the other of restoring religion in England, and at the same time of removing from our midst the [that] cesspool of so many [of all] evils [or as he called her, the slave of wickednesses, if he could not recall her to a saner mind]. For she nourished with her arts the quarrels of Christian princes [and advanced the impious endeavours of the heretics], especially in France, [Scotland], and Flanders, and aided the Protestants of Germany. So Pius appointed certain persons in the realm [of England], well informed about the affairs of Catholics and heretics alike, who should send him information about them [all], and should animate the Catholics to restore the ancient rite in the realm. Moreover, as it was not possible for a Nuncio Apostolic, or any representative of the Holy See to live there, he arranged with all diligence that Robert Ridolfi, a gentleman of Florence, who on the score of trade resided in that realm, should excite men to rise for the overthrow of Elizabeth.

2. Extracts from the Reports of the Historical MSS. Commission.

(*a*) Report XII, Appendix V, *Belvoir Castle MSS.*

i. 98, 27 Feb. 1572. Dr. Atslowe is in attendance on the Earl of Sussex.

i 145, 29 Nov. 1582, Dr. Atslowe is attending the Lord Chamberlain.

i. 148, 3 Apr. 1583, The doctor thinks his Lordship will recover.

i. 149, 29 April 1583. He is still of the same opinion.

i. 157, 5 Jan. 1584, Roger Manners to the Earl of Rutland—"The two earls [of Arundel and Northumberland] remain still at their houses, what further will fall out is daily looked for."

i. 158, 10 Jan., 1584. Sir F. Walsingham to the Earl of Rutland—Mendoza has been warned to depart within 15 days. "At the same time it was also thought meet that the Earl of Northumberland should also be committed to the Tower, for that he stood over stiffly to the denial of certain points which were confessed by others. The Earl of Arundel continueth in his former state, but the Lady his wife is lately ordered to remain in the custody of Sir Thomas Shurley at his house in Sussex. The greatest cause of the errors these persons have fallen into is their contrariety in religion, which I would to God by some good means were so compounded between them and us that we might all consent to the true profession thereof; and so, ill cause being removed, all good effects might ensue."

i. 160. 3 February, 1584. Roger Manners to the Earl of Rutland. "My Lord of Northumberland is still in the Tower, and my lady his wife a suitor for him. My lord of Arundel still at his house. Many of his servants daily examined, but nothing falleth out further than before was known."

Ibid. London 6 February, 1584. Screven to the Earl of Rutland. "It happened that Fetherston, the Earl of Arundel's servant hath with a cudgell beaten Duffield the Earl's chaplain, where upon Fetherston is pursued, and the Earl's liberty like to be longer deferred. This day was Heywood and six other priests indicted at King's Bench."

i. 161. Same date. Wray to same. "My Lord of Arundel standeth upon his innocency, and as I hear, hopeth to be delivered shortly."

i. 189. 5 February, 1586. Roger Manners to the Earl of Rutland. "Here hath been great question, whether the Earl of Arundel's cause should be tried in the Star Chamber, or else brought to arraignment. But it is hoped her Majesty will deal mercifully with him, for his trial is deferred.

i. 134. 3 April, 1582. Hervie to Roger Manners. "On the first of April a book was put under the door of the Lord Treasurer's chamber, and another thrown into the Council Chamber in the night, directed to the whole Council—to persuade them not to be extreme against the Jesuits, to whom it gives good words." The above extract probably refers to Vallenger's Book as does that which follows.

(*b*) Report XV, Appendix ii *Eliot Hodgkin* MSS., 1897.

p. 263. 16 May, 1582. "Vain Vallenger's Libels" against Queen Elizabeth. Upon conviction in the Star Chamber, he had the following judgment. 1. To be imprisoned during the Queen's pleasure. 2. To pay the fine of £100. 3. He is to stand in the pillory one day in Westminster, one day in Chepe side, and to lose in each place one of his ears, to remain "a perpetual mark of his lewd proceedings."

It would seem that Vallenger was imprisoned in the Fleet (*C.R.S.* ii), and that he died in this meritorious bondage some time between 1588

and 1595. In the former year the Protestant prison authorities described him as "a Recusant only"; in the latter Father Garnet wrote, "The gentleman [Vallenger] was condemned by the Council to have his ears cut off, and to perpetual prison, in which he died piously a few years ago." Retranslated from Diego Yepez, Bishop of Tarragona, *Historia particular de la persecucion de Inglaterra*, Madrid, 1599.

3. Lord Henry Howard.

See above Chronology 8.

12 January, 1581. Lord Henry Howard to Walsingham. "Solicits his influence with Her Majesty. No cause under Heaven could make him swerve one jot from his professed faith, duty and service to her. Falsehood of his accuser [? the Earl of Oxford]. Explains his hearing mass, not being satisfied in points about the Sacrament. Desires to be set at liberty on promising never to commit the like offence"—*Calendar of Domestic Papers*, 1581-1590, p. 1; the original MS. is not at present accessible. Two days earlier Walsingham had received the following paper of questions suggested by the rack-master in the Tower of London.

"Proposed interrogations to be ministered to Lord Henry Howard, relative to the Treatise, published in English, touching the doings and troubles of the late Duke his brother, and the Bull of Pope Pius V for deposing Queen Elizabeth."

Thomas Norton sent these in, accompanied with a note, dated 10 January, which mentions the Catholic knight, Sir George Peckham, as among the prisoners.

(*Ibid.*)—Norton's interrogations are probably based on the Earl of Oxford's "falsehoods," and inferences from them must be made with care. They illustrate vividly however the dangers amid which the Howards lived in those days.

5 May, 1584. Six months' payment to the guard set over Lord Henry Howard. The Accounts of the Treasurer of the Chamber show that he paid—"To John Dannett, upon a Privy Council warrant, dated 5 May, 1584, for his charges in safe keeping Lord Henry Howard in the house of Sir Ralph Sadler for six months—the sum of xxvi*l.*" (R.O., *Declared Accounts*, Pipe office, 542, r. 56b.)

4. The Earl's Letter to the Queen.

April, 1585.

See No. xxiii above. Texts 1 to 11, are already described there.

12. Gonville-Caius College, Cambridge (James—*Catalogue of MSS. at*), MS. 197, p. 446.—*The Earl of Arundel's Letter to the Queen.*

13. Inner Temple MSS. (described in *Hist. MSS. Comn. Report XI*, Ap. vii., p. 251). Volume 538, no. V. (folio 95).—*Petition of the Earl of Arundel to the Queen.*

14. Hatfield MSS. (*Historical MSS. Comn.*, "Hatfield MS. Report." xiii (1915) p. 421.—*The Earl of Arundel's letter to the Queen*, 16½pp.)

15. Guerney MSS. (*Historical MSS. Comn.*, Report xii, Appendix ix, p. 132.—*The Earl of Arundel's letter to the Queen, on his purposing to leave the realm.*)

5. Proceedings in the Star Chamber.

11 May, 1586.

No. xxxvii above.

There seems to be another account of this at Gonville-Caius College, Cambridge. It is referred to in James's *Catalogue of MSS. at G-C, C.*, MS. 197, pp. 222, 241.—*Arraignments in the Star Chamber : The Earl of Arundel.*

6. A Rumour of Communication with Allen.

1587.

The original MS. is at Simancas, Leg. 949, 43. The date must be after Chrichton's return, 3 July 1587, and before Allen's cardinalate, 7 August, following.

Alcune Consideratione . . . sopra la Relazione del Pre. Chrittonio.

After stating that a considerable party was rising in Paris, which favoured King James, the writer continues—"but if Doctor Allen is made cardinal, the English Catholics will follow a declared head. Et cosi gia alcuni principali particolari hanno significato, nominatamente fra li altri [il conde] di Arundel in Inghilterra, et il Sigr. Stanleo in Fiandria per un huomo spresso, mandato al Sigre Alano et per diuerse lettere, hanno promesso di seguitar quello che di lui l'ordinarian, et il medesimo hanno fatto molti altri.

The evidential value of these "Considerations" is somewhat problematical. They are the comments made in Rome by an informant of the Spanish embassy, and he is discoursing on the story told by Father Crichton after his return from three years solitary captivity in England. Always sanguine, and somewhat irresponsible, the padre's statements would too often lend themselves to the formation of distorted views. A still more obvious reason for hesitation lies in our entire ignorance of the person who is speaking. I do not question that he was a reliable person in his own department; but there were a great many chances against his being an expert in English affairs. He may be accurate in what he says about the Earl "having sent word," but he may also have been wide of the mark.

7. Threatened Massacres of Catholics.

1585–1588.

We see from Sir Thomas Gerard's first examination (xlv ii, § 12), that he and the Earl were in unfeigned fear of "a massacre," plotted by Lord Leicester. The extracts which follow show that this alarm had frequently occurred before, since the enactment of the bloody code of 1585.

As persistent anxiety about a massacre makes the Earl's version of "Tower Matters" more natural and probable, so do we find a tendency among the Protestants to exclude it from view, and a corresponding tendency among Catholics to put it well into the foreground. This is seen both in Garnet's account, who adds that the prayers for 24 hours were said against massacre in other prisons, as well as the Tower (No. lxiii), and *The Life* (No. xlix) says, "There went then a rumour very currant amongst the Catholics of London that a sudden massacre of them all was intended upon the first landing of the Spaniards." It also says that the Earl pleaded this rumour in an examination now lost.

On the other hand the Trial excludes all mention of the subject; and (what is perhaps almost clearer) Gerard in his second examination alters his story

in the answers revised under Waad's influence on the 26th of February (lvii § 9). As the government did not now mean to charge the Earl with intending to seize the Tower, that subject is dropped; and as they knew the Earl might defend his prayers by alleging the rumours of massacre, Gerard's date for the rumours is so adapted as to make them three weeks too late to avail as explanations for the Earl. Whatever the reasons for Gerard's changes in his confession, the following extracts show that rumours of intended massacre were frequent during the *previous* three years.

It is nowhere stated that a massacre was actually arranged: nor is there any evidence that this ever was so. But we must not on this ground think that the fear of massacre was absurd and unreasonable. When we see to-day the exodus due to air-raids from towns like London and Paris, we can see what effects fear will have in a large community. The agitation that preceded and accompanied the "Bond of Association" in 1585, was of itself enough to explain alarms such as those mentioned below.

(*a*) Father Weston's Memoirs.

Father Weston's Memoirs have already been cited above No. xxii, from Father J. Morris's edition in *Troubles of our Catholic Forefathers*, Vol. ii. Besides the MS. texts used for that edition, and also for the conclusion, printed *C.R.S.* i (which was wanting in Morris's edition), I may mention that yet another MS. text, is now at Blair's College, Aberdeen. The following passage gives a vivid contemporary picture of "The Terror," before which the Earl fled in 1585, threats of massacre being one of the many circumstances of horror.

"The times that succeeded the holding of Parliament [of 1584-5] were full of bitterness to Catholics and beyond all measure grievous. . . . By the authority of the Earl of Leicester and the advice of Cecil (for under the Queen these two men were our rulers) . . . the hatred of all men was turned against them, they were laid in wait for, betrayed, attacked with violent and sudden assaults: they were plundered by night, their property was confiscated, their flocks were driven away, their cattle taken from them. What prison was there, which was not rendered glorious by the noble and magnanimous confession of saintly confessors and even martyrs? In the crossways and public roads you might see guards suddenly stationed, so that none of the travellers passing by could move on in safety or without rigorous examination. On one and the same night and hour, now one city, now several, was disturbed by the unexpected incursions of unlooked for emissaries. The inns, the taverns, the lodging-houses, the bed-chambers were searched with the utmost rigour. If suspected or unknown persons were found, unless they could give a satisfactory account of themselves, they were either imprisoned or guarded till next day, when they might clear themselves, in the presence of a magistrate from all suspicion of being Catholics, and in particular of being Catholic priests. Lying rumours were set afloat about the preparation and coming of a hostile fleet into England, false letters were forged pretending to come from Catholics and containing conspiracies against the Queen. Nothing was more in fashion than to believe that the Queen's death was intended by them. Indeed there were some spies who went so far as to disguise themselves as Catholics to submit to arrest and incarceration, and to make a confession of guilt in order to inflame passions against the Catholics, and to enable vengeance to be demanded upon them.

Sometimes in London it was reported (and I have myself heard the lamentations which would ensue) as a fact that the Queen's Council had decreed the suppression and massacre of all Catholics in their houses, on such and such a night. Many persons would then abandon their homes and lodgings and spend the night in the fields: others hired boats on the Thames, and floated up and down the river. A saying was spread abroad, supposed to have come from the lips of Cecil, that he would bring matters to such a pass, that Catholics would soon be reduced to such destitution that they would be unable to assist each other, and would be thankful if, like swine, they could find husks to assuage their hunger.

Willingly do I here omit the frequent arrests of priests and others, their imprisonments and deaths from violence, in London, York, Winchester, Canterbury and other places; for these things are already noted down with their proper circumstances. New prisons were devised and opened at Wisbech, Ely, Reading, and they were filled with men high-born for the most part and illustrious. When a request was made to the Queen to make similar arrangements for women, she is reported to have answered, "You have had your way with the men, do you want to shut up women too, like nuns in cloisters?" And she withheld her consent.—Morris, *as above* ii, 108.

(*b*) Babington's Confessions, 1586.

For the text of these confessions, I may refer to my forthcoming *Mary Queen of Scots, and the Babington Plot.*

[June, 1586] "I told [Salesbury, &c.] that we seemed to stand in a dilemma leaste by a massacre, as enough hath been doubted [*i.e.*, anticipated], the magistrates here would take awaye our lives by the lawis already made, by means whereof there is no Catholique, whose life is not in theire handes. . . . The evill opinion which the State had of Catholiques being manifested by sondry bookes imprinted that all Catholiques are traytores, and that it was not possible for a Papist to be a good subiect, which opinion holden, must needes ensure us of the desire of our extermination if there were meanes. Which that there wanteth not, is apparent, it remayninge in their power by the late Statutes to prove any Catholique, how precise of conversation so ever, a traytor."

By "late Statutes" Babington means the bloody laws of 27 Elizabeth, from which no Catholic "how precise of conversation so ever" could escape, when the magistrates were bent on conviction. The "sundry books" are not so easy to identify. Possibly he means the many printed attacks on the Martyrs as well as on Parry, Throckmorton, &c., which were singularly brutal. So too were many of the sermons and political addresses during the fanatical election of 1584.

(*c*) Charles Paget.

Both Paget and Berden have been frequently mentioned before. Here Berden, pretending friendliness to Paget, has written from England enlarging on the danger to Catholics of massacre. This letter is lost. Paget answers that fear of retaliation on the Protestants abroad, may act as a protection to Catholics at home. Whether the answer be prudent or not, it shows at least that the topic was an ordinary one. He says (R.O., *Dom. Eliz.* ccviii, 39).

"I do not think the Catholics in such danger as you write; for a massacre used upon them will be a cause of more crueltie towards the heretics" [in this country, France]—31 January, 1588.

8. The Arraignment.

14 April, 1589.

The following are *Reports* in MS, to which, during war-time, access has not been possible.

1. MS. at Norfolk House—"The whole discourse of the arraignment of Philippe, Earl of Arundell"—referred to by M. A. Canon Tierney, *History of the Castle and Town of Arundel*, p. 389, as then, *i.e.*, in 1834 at Norfolk House.

2. Oxford, Bodleian Library *Catalogue*, Misc. 966, pp. 233–240, "The arraignment of Philip Howard, Earl of Arundel, 1589."

3. Lambeth Library *Catalogue*, MS. vol. 250, 10. ff. 170–176, "Arraignment of Philip Howard, Earle of Arundel, the xiiij of April 1589, at Westminster."

4. E. Bernard's *Catalogi MSS. Angliæ*, 1697, gives.—Henry Earle of Peterborough, ii. 9. "The arraignment of Philip Howard Earl of Arundel, 14 April."

5. Inner Temple Library; *Historical MSS. Report* xi. Ap. vii., 251; MS. 538, ff. 243-249. "A briefe relation of the arraignement of Philip Howard, Earl of Arundell at Westminster, on the fourth of Aprill, A.D. 1589. Printed in Howell's *State Trials*."

6. Oxford, Bodleian Library *Catalogue*, Tanner MS. 79, n. 28, ff. 59–62. "The substance of the arraignment of Philip Howard, Earl of Arundel, April 4th, 1580." The title coincides with the next.

7. Oxford University *Catalogue*, Ashmole 824, n. 2, ff. 14 to 19. "The substance of the arraignement of Philip Earl of Arundel, the fourth of April 1589." Eight leaves, 4to, the first and last blank, neatly written in a small hand, ruled margins.

8. Oxford, *Bodleian Library Catalogue*, Miscellanea Wood F. 32, fol. 92*a*. Articles against the Earl of Arundel. This appears to be the same as *Hatfield Calendar* xiii, 422 "Causes of the Earl of Arundel's Indictment," which again agrees with the Oxford document published above p. 288.

9. B. Mus. Cottonian MSS., Julius F. vi f. 209. List of the Jury of Peers.

9. Thomas Phelippes' Draft: "Answer to Owens Instructions."

R.O., *Dom. Eliz., Addenda* xxxi, no. 32, fol. 59. This paper has been dated 23 June, 1589. These are drafts supplied to Thomas Barnes, who had fraudulently engaged in correspondence with Hugh Owen. Phellippes *more suo*, slips in many false turns and insinuations favourable to his side.

For other matter you may add—That the erle of Arundell hath the liberty of the Tower and it is thought shall not be putt to deathe.

For the matters he was charged withall, this it was in briefe.

That where C. Allen with others had practised sundry treasons agaynst the Q. as the invasion first of Ireland, then of England, and the murder of the Q. person, and where the pope had under color of winning men to religion, sent over Jesuits and Seminaries to draw them to the breache of their allegeance against the Q., and such treason, as the Q. had by her public proclamation notified to all her subjects; the Erle knowing this Allen to be such a dangerous traitor, as having bene present at Campian's arraignment, when these treasons were laid open & proved, & himself among other lords at the starre chamber shortelye after censured one Vallenger, who had made

a rime in disgrace of the proceedings agaynst Campion, and being not ignorant of the evill meaning of the Jesuites and prestes yt came over, did notwithstanding receave & harbor Edmunds & Gratley who were sent to himself from D. Allen to draw him to be a partaker of such treasons as they laid down, the Cardinal was then a making of, [that] is to say an enterprise lay[d] against England, newly sette a foote agayne (after it had ben geven over by reason of the discovery of Fr. Throgmorton) uppon some letters brought by Owen to the D. of Parma out of Spayne, and wch the D. had determined to put in execution uppon the taking of Andwerpen, as they shewed out of letters written to the Q. of Scotts at the same time to this effect from the Cardinall and others; wherein they so farre prevayled with the erle as he was content to submit himself wholye to the Cardinall's direction for the advancement of the Catholic cause [which they endeavoured to put into—*cancelled*]. Theruppon [he] resolved to flee the realme, as was surmised, to be a head to draw the forces of discontented persons in England when the sayd enterprise should be taken in hand: but that he was, prevented & kept in prison. Where not being otherwise able to assiste the enemies, hearinge of the approche of the Spanishe flete he caused a masse to be sung for the prosperity . . . , by divers speeches uttering his desire the same should prevayle, and afterwards causing prayers of 24 hours together to be made for the [prosperity *cancelled*] good successe at the conflict expected at Calis. Whereuppon and divers other presumptions taken from his former actions [confessions *cancelled*] & the contents of the bull which the pope sayth he had now caused to be putt in execution, at the sollicitation of many of the principallest nobles of the realme, they concluded that he had conspired the invasion of the realme & deprivation of the Q. by overt acte, which is treason by the statute of Edw. 3 and the common law. Whereupon he was accordingly found guilty by the peares, which were the L. of Darby High Steward, the L. Treasurer, the Marquis of Winchester, the erles of Oxford, Kent, Pembroke, Sussex, Lincolne, etc. [The Lords Cobham, Gray, Dacre, Warwick, etc.—*cancelled*].

You may gett the other names.

[He answered with all mens—*cancelled.*]

The latter matter was it that was most odious, which was verified by Sir Thomas Gerrard & the/Bennet the priest, which—*all cancelled.*

The rest I will tell you in speeche, as it may be better carried away.

10. Spies (*a*) The Witness Robert Walton.

Walton tells his story in an undated paper, R.O. *Dom. Elizabeth* ccix, 57, of which the following is an analysis (about 1588, 1589).

On his way from Rouen to Paris, he was commended by John Woodward to Pater Thomas Darbishire, who acquainted me with James Hill, servant to the Duke of Guise, and hath a brother that doth serve my lord of Arundel. He also acquainted him with Robert Tempest treasurer for the college of Rheims, &c. Afterwards he heard the reports of the sons of the Earl of Northumberland and their tutor, that are in Paris, and Thomas Hole, tutor to the present Earl of

Northumberland. "This gave me credit, and *when I was in the Marshalsea of your honour's commandment,* I was acquainted with divers priests that are banished": one Shawe, and one Smith, Gryffin and others. This made my credit better.

Darbishire then tempts him obscurely to return, "This is the plot laid." On hearing of the Spanish Armada Catholics will rise, open the Tower, make Arundel general, and keep the city till the Spaniards come. So go with Hole to the Spanish Ambassador, &c., &c.

Besides other suspicious traits, Walton ignorantly informs against such Protestants as Hugh Offley and Danniel, who were in government employment, &c.

As to the date the Calendarer notes conjecturally—"No mention of Mary Q.S., so after her death."

Walton's treacheries played no little part in the eventual fate of Gilbert Gifford. For this I may refer to my volume on the Babington Plot, also to the R.O. *Calendar,* Elizabeth *Addenda* for 1588, 1589.

(*b*) Richard Brown.

A spy, Richard Brown, to [? Thomas Phelippes] n.d. ? 1589, or earlier.

R.O., *Dom. Eliz. Addenda.* xxxi, n. 97. The "brethren" are presumably Lord Arundel's brothers.

Your Worship . . . [Munford Scott, Catholic books, &c.]

There is one Nobel which doth use to Mr. Thorpes at London Wall. I have not known him beyond seas, but yet I doe suspect him to be a priest, and stand in doubt of his name also. But be he priest or not, I am assured that he is conversant with such as are Seminary Priests, and doth dayly passe with news to and fro. There is no booke of late impression, made by any preste but ye [? they] come more suddenly to his hands then resource can coniecture, unlesse, as I suspecte, he be acquainted with the impression. He useth moch to Doctor Atesloe, and to the charter house but to which of the brethren I am not certayne but I knowe this by ye reporte of on Harry Thorpe servante to ye Erle of Arundel, that there was this somer on priest which taught my L: William and certayne gentlemen in ye house ye ffrenche tongue: but he was fayne to departe because he was to knowen a man.

In cheapside to the house of on wryte resorted on whitakere companion of Write's son at Antwerp & Leavre & Wolferstan the Apothecary, a great favourer of these persons.

11. Prisoners in the Tower.

From 6 July 1590 to [18 December] 1591.

B. M. Lansdowne MS. lxv. No. 14, printed J. Bayley *History of the Tower,* 1820, II lxxxii. The character of the MS. exactly agrees with the *Tower Bills,* already printed in *C.R.S.* iii and iv.

The document is composite. §1 gives the 14 prisoners left by Sir Owen Hopton on retiring, 6 July, 1590. §2 gives 10 prisoners discharged since Michael Blount's advent, and specifies what liberties are enjoyed by the four prisoners left, and on what warrants. §3 gives the new prisoners sent in since. §4 to the end treats of the warders.

A valuable comment on these lists is offered by *The Tower Bills* in C.R.S. iii. and iv, which show the prison careers of many of these poor victims of bureaucracy. It will be noticed that none of them is alleged to be confined because of a legal sentence.

A large batch of prisoners from Ireland will be noticed in §3. Sir John Perrot is at their head, and he is followed by Sir Nicholas Whyte (his Master of the Rolls), the protestant bishop of Leighlyn, Philip Williames (his secretary), Sir Brian O'Rourke [? Sir] Francis Barkley, and Captain [Sir] Tibbot Dillon. They were all no doubt connected with Perrot's trial, which was protracted till 1592. Besides these there was James Fitzerald, the Tower Earl of Desmond, Florence Macarty, whose alleged treasons are enumerated in *Carew Calendar* 1590, &c., p. 514.

Of English Catholics, besides Earl Philip, we find Edmund Neville, titular Lord Latimer; Sir Thomas Fitzherbert the well known confessor of the faith, for whom see Dom Bede Camm, *Forgotten Shrines*, 1910, p. 56. John Gage, his companion, has left us long as well as pious inscriptions in the Broad Arrow Tower, quoted by Bayley, I. 207, 208. For George Beesley, Priest and Martyr, see *C.R.S.* V.

[1]

The names of all such prisoners as Sir Owen Hopton, knighte, delivered to the custodie of Michael Blount Esquio^{r}, by indenture bearinge date the vith daie of Julie 1590, a° regni reginæ Eliz xxxij, vz.

Philip late Erle of Arundell,	John Ardent,
James Fitzgeralde,	Jerom Payne,
Edmund Neevill, Esquio^{r}	Michaell Moodye,
Thomas Abington,	James Harrison,
Florence Maccarty,	Andrew Vannietico,
John Digbye,	William Reynolds,
James Tippinge,	John Hoskins

[2]

Whereof

Thomas Abington, James Typping, Michael Moodye, James Harrison, priest, John Hoskins, were delivered to the Marshalsea, by warrant from Ll of her Majestie's honourable counsell, bearing date at Grenewich, the viith daie of Julie 1590, signed by the late lo. chancellor, lo. treasurer, lo. chamberlayne, lo. admirall, lo. Buckhurst, Sr Francis Knowles, and Mr. Jo. Wolley.

William Reynolds, By the foresaid warrant was delivered unto the lo. Buckhurst to be banished the realme.

Jerom Paine, was sett at libertie by the same warrante upon bonde, with suretie of cc*li*, wch bonde I have readie to be shewed.

John Digbie, delivered by warrant, bearinge date the xxiid daie of Julie 1590; signed by the late lo. chancellor, the lo. treasurer, lo. admirall, lo. Cobham, lo. Buchhurst, and Mr. Jo. Fortescue, vppon his Brother and Sir Everard Digbie his bonde of one thousande pounds, for his good behavior to her ma'tie and the state, wch bonde I have readie to be shewed.

Florence Marcartie was delivered by warrant, bearinge date the ixth daie of Januarie, 1590, signed by the late lo. chauncellor, the lo. thres, lo. Cobham, lo. Buckhurst; sir Tho. Heneage, Mr. Jo. Fortescue and Mr. Jo. Wolley, upon the Earle of Ormonde his bonde of one

thousand pounds, and upon the bonde of the saide Florence Marcartie of twoe thowsand pounds that he shall not departe the realme, nor above three miles oute of London, withoute the speciall licence from the LL of her Maties privie counsell, wch bonde I have readie to be shewed.

Andro. Vannietico als Martinningo, was delivered to twoe of the ordinarie yeomen of her Ma'tie's guarde, the last daie of December, 1591, by warrant from Sir Tho. Heneage and Mr. Jo. Fortescue.

Phillipp, late Earle of Arundell is a close prisoner and hathe noe other libertie than he had in sir Owin Hopton's tyme, which is to walke in the quene's gardeine twoe houres in the daie, with a servant of the lieutenants to attende him, the gardeine doore being shoutt at the tyme of his walkinge.

James Fitzgeralde. He hathe the libertie of the Tower, and soe hath had ever sithence he was committed, and hath accesse of all his friends. The countesse of Desmonde had accesse unto him, by warrant dated the xviijth of Julie 1590, signed by the late lo. chauncellor, lo. treasurer, lo. chamberlaine, lo. Buckhurst, and Mr. Jo. Fortescue.

Edmonde Nevill, esquior, hath libertie of the Tower by warrant bearinge date the xvith daie of September 1590, as he formerlie had, signed by the late lo. chauncellor, the lo. thres, lo. admirall, lo. chamberlaine, sir Tho. Heneage, Mr. Jo. Fortescue, and Mr. Jo. Wolley, and the same warrant geveth accesse unto his wife and all his friends.

John Ardent. He remaineth still close prisoner, and was a condempned man before I had charge of him.

[3]

The names of suche prisoners as have beene received by Sir Michaell Blount, knight, sithence the tyme that he hathe had the charge thereof.

Robart Humberstone was committed close prisoner to the Tower by warrant bearinge date the xxvth daie of Julie 1590, signed by the lo. th'rer, and the lo. Cobham ; he hath had accesse of divers to him by warrant, vz, Peter Probie, by warrant dated the xvth of September 1590, signed by the lo. thres. and sir Tho. Heneage ; Mrs. Humberston the wife of one Humberston a marchant in London, by warrant dated the first daie of October 1590, signed by the lo. thres. to speak to the prisoner in my hearinge, and sithence that tyme the husbande of the saide Mrs Humberston hath had accesse unto the said prisoner by warrant from the lo. thres. dated the xviijth daie of June, 1591.

Richard Brookeman was committed close prisoner to the Tower by warrant dated the xvijth of November 1590, signed by the late lo. chauncellor and the lo. thres, and was afterwards discharged by warrant, dated the xxvith of Januarie 1590, uppon his bonde and one suretie with him of *cli* to her Ma'tie's use, signed by the lo. thres., lo. chamberlaine, lo. Cobham, and lo. Buckhurst. The Bonde is readie to be shewed.

George Beeseley was committed close prisoner to the Tower, by warrant bearing date the xviij daie of December, 1590, signed by the late lo. chauncellor, the lo. thres, lo. admirall, lo. chamberlaine, lo. Cobham, and Mr. Jo. Fortescue, and was afterwards removed to

Newgate to receive his triall by warrant dated the xixth day of June, 1591, signed by the lo. thres, earle of Derbye, lo. chamberlaine and lo. Cobham.

Sir THOMAS FITZHERBERT, knighte and JOHN GAGE gent. were committed close prisoners in the Tower, by warrant bearing date the x daie of Januarie 1590, signed by the late lo. chauncellor, lo. thres, lo. admirall, lo. chamberlaine, lo. Cobham, lo. Buckhurst, sir Fra. Knowles sir Tho. Heneage, and Mr. Jo. Wolley. The said sir Thomas Fitzherbert died in the Tower, the second daie of October 1591, and the saide John Gage remaineth still close prisoner.

Sir JOHN PERROTT knighte, and sir THOMAS WILLIAMS knighte, were co'mitted close prisoners in the Tower, by warrant dated the viiith daie of March 1590, signed by the late lo. chauncellor, the lo. thres, the lo. admirall, lo. chamberlaine, and lo. Buckhurst. The saide sir Thomas Williams died in the Tower the xxth of August 1591, and the saide sir John Perrott remaineth still close prisoner.

The BUSSHOP OF LAUGHLYN in Ireland, and PHILLIPP WILLIAMS gent. were co'mitted close prisoners in the Tower by warrant dated the 9th daie of March 1590, signed by the late lo. chauncellor, the lo. th'res., lo chamberlaine and lo. Buckhurst, and they both remaine still close prisoners.

Sir NICHOLAS WHITE knighte, was committed close prisoner in the Tower by warrant dated the xith of Marche 1590, signed by the late lo. chauncellor, lo. th'res., lo. chamberlaine and lo. Buckhurst, and remaineth still close prisoner, saving that he hath libertie of walke on the leades over his lodginge, by warrant.

JOHN POWELL was committed close prisoner in the Tower by warrant dated the xxist daie of Marche 1590 signed by the lo. th'rer., lo. chamberlaine and lo. Buckhurst, and remaineth still close prisoner.

Sir BRIAN OREWORKE knighte, was co'mitted close prisoner in the Tower by warrant dated the ixth of Maie 1591, signed by the lo. chauncellor, lo. admirall, lo. chamberlaine, and lo. Buckhurst and was delivered to the sheriff of London, the third of November 1591, and was executed.

FRANCIS BARKELEY and . . . TIBOTT DILLAN were co'mitted close prisoners in the Tower, by warrant dated the 22d of August 1591 signed by the lo. th'rer., lo. admirall, lo. chamberlaine, and lo. Buckhurst, and they bothe remaine close prisoners, savinge that Fra. Barkeley hathe libertie to walke in a gardeine close unto his lodginge by warrant.

MRS KATHEREN LEE was co'mitted close prisoner in the Tower by warrant dated the xvith daie of October 1591, signed by the lo. chamberleyne and remaineth still close prisoner.

MRS. ELIZABETH JONES was co'mitted close prisoner in the Tower by warrant dated the xvijth of October 1591, signed by the lo. chamberlaine and remaineth still close prisoner.

SIR FRANCIS DARCYE knighte was comitted close prisoner in the Tower by warrant dated the xviith of October 1591, signed by Sir Thomas Heneage, and remaineth still close prisoner.

[4]

Keepers of prisoners. Thomas Vannor and Henrie Frewen two of the lieutenants servants have the keepinge and lockinge upp of all the foresaide men prisoners remaining within the Tower, viz.

Thomas Vannor hath the keping and lockinge upp Sir John Perrott and Sir Fr. Darcye knights, John Ardent, Tibott Dilane, Robert Humberston.

Henrie Frewen hathe the keepinge and the lockinge upp of The Bushopp of Laughlyn, Sr. Nicholas Wyte, knighte, John Gage, Francis Barkeley, Phillipp Williams, John Powell.

Henrie Frewen dothe also lock upp the late Earle of Arundell & twoe of the Lieutenants servants with him (that is to saie), Robert Daubney and Lawrence Whistler, which twoe doe attende him all the daie. And hathe also the lockinge upp of the saide Mr. Edmond Nevill.

My wife and her women have the keepinge and lockinge upp of Mrs. Jones and Mrs. Lee. Mic. Blount.

[5] f. 46. The report then gives the names of the 30 ordinary yeomen, and of the 16 extraordinary yeomen.

[6] The service hours of the different yeomen in the different days of the week.

f. 47. [7] "The names of all such as have their resiaunce in the Tower, with wives, and families, and those that have chambers." There are 39 fathers of families &c. generally warders, or workers in the Mint. Amongst others—"*In the Upper Warde* the wife of one Cowledge, an oulde woman, left here by Sir Owin Hopten.
In the Nether Warde . . . Mr. Rayneberde, he and his man."
Each page signed—Mic. Blount.

12. Obits of (?) Lord William Howard.

British Museum, Arundel MSS., 83, consists of fragments of two medieval liturgical volumes (The *Catalogue* adds, see *Paleographical Society* i. 99, 100 and E. F. Warner, *Illustrated MSS. in the British Museum*, Ser iii, pl. 23–25). At folio 117 there are coats of arms of Howard, and in the margin the signature "William Howarde, 1590." On the fly leaf, is signed or scribbled "Jõn Fox," and underneath is written in a court hand—"I beshrewe the false ffox that made many false Martyrs, & did steale this Goose without leave, that he had neither bredd nor yet paied for."

From the general character of this note and signature, one may infer that the volume was in Lord William Howard's hands in 1590, that he was still a strong Catholic, and that the obits, which are in a hand presumably, or demonstrably his, were entered by or for him. The following are the obits.

(1) At fol. 6b.—16 die feb : A° 1592/obijt Mr Willms Arundell cuius animae propicietur deus.

Hand 1. Presumably that of Lord William Howard.

(2) Ibid—Jovis Tertio februarij, A° xlv° Eliz Rñe—N: Ros : Tho. wid : Ric. Floud : Ric. Bedoe : et Alic. List :

Hand 2. February 45 Elizabeth, was A.D. 1603. It is to be noticed that there is no word "obiit" here, and the reeurrence of five names at one date is, to say the least of it, unusual in a death record. May this possibly be a veiled way of registering a marriage ?

"N. Ros :" may perhaps be the Nicholas Roscarrock mentioned in No. xxx, p. 133.

Nicholas Roscarrock eventually became one of Lord William's followers, possibly the tutor to his sons see *D.N.B.* Besides the authorities there cited reference may be made to Foley's *Records S.J.*, iii 290, 599, 702 ; iv. 431 ; vii. 1422, James, Catalogue of MSS. at Sidney Sussex College, Cambridge, p. 22, says—"Roscarrock's unedited *Register of British Saints*, circa 1630, exists in part in the author's MS. at Cambridge, University Library, Additional MS. 3041.

"Tho. wid :" may be Thomas Widmerpool of Widmerpool, mentioned in pedigree of that family, *Harleian Society* IV. 108. That the family was Catholic is proved by the martyrdom of Robert Widmerpool of Widmerpool in 1588 (Challoner).

In Major Skeet's *History of the Families of Skeet, Widdrington*, &c., there is no Thomas Widdrington during this period.

Richard Beadow of Middlesex was a Receiver for the Earl, p. 313; William Bedo was in the Tower with the Duke of Norfolk 1571, Bayley *Hist. of Tower* II, lvi.

(3) fol. 8 [7 May] Obitus dni Thē de Malinton, Baronis de Weme, qui obiit 7° die Maii A° Dni milesimo ccc^{mo} viii^{o}.

In a medieval hand of the early xvth century.

(4) 4 : die Septemb : 1591/obijt dña Margareta/Sackuild filia Thomæ Howard : nuper ducis/Norfolciæ/

Hand 1.

(5) 9 octobr : 1595 obijt/Phillippus Howard,/comes Arundell in turri Londinensi Anno xi^{mo} incarcerationis eius.

Hand 1. The day usually given for the death is 19 October.

13. Dr. Atsloe (? Junior).

Father John Morris in *The Life of John Gerard, S.J.*, 1881, p. 505, quotes a letter of his, dated Ghent, 8 March 1627, directed to Henry Lee, Mary Ward's chaplain, then at Munich, "You will all have a good friend in Mr. Dr. Atsloe. He is a great friend of Father Henry Silisden (who is Rector of Watten) and is my friend also, and writes to both of us often."

Edward Atslow M.D., mentioned so often above, is said in *D.N.B.* to have died about May 1594. His wife, Frances (Wingfield), whom he had married in 1573, received an annuity from the Earl of Arundel, when a widow. Hence it seems that the Dr. Atsloe of 1627 may be a son of Dr. Edward.

II.

The Itinerary of Philip, Earl of Arundel.

i. Birth in London.

In 1557 Philip Howard was born in Arundel House, Strand, which then belonged to his maternal grandfather Henry, the last Fitzalan Earl of Arundel.

He was baptised in "the Queen's chapel at Westminster," but it is uncertain which chapel was here spoken of. A few years earlier the words would certainly have meant "St. Stephens." But by 1557 that part of Westminster Palace had been given up to Parliament, and Queen Mary lived at Whitehall and St. James's.

ii. East Anglia.

In 1571 he writes from Kenninghall (S. Norfolk). The Howards had long held great estates here, and the H shaped house was so large, that it was used as a dwelling house for the Princess Mary Tudor, and after that also for Elizabeth when a Princess. The great house was pulled down about 1650.

In 1572 he dates from Saffron Walden, N.W. Essex, and in 1573, 1575 from Audley End. These properties came to the Howards through Duke Thomas's marriage to Margaret, heiress of Lord Audley of

Walden. Though the address is given in two forms (Walden and Audley End) it seems probable that he was residing all the time at Audley End, which stood on the site of the Priory of Walden. This house was afterwards (1614–1616) magnificently rebuilt by Lord Thomas. The extended and the improved building still stands, and no doubt contains a good deal of the older house, used by the Howard children.

In 1576 he was at Cambridge. His college was presumably St. John's, for his brother Lord Thomas was there, and they are said to have been together. According to the *Life* he was two years in residence (? 1575, 1576).

In August, 1578, he entertained Queen Elizabeth at Kenninghall and Norwich. See *above*, p. 22.

We do not read of any other visits to his East Anglian properties, or to those in the North. The inference is that, when once he had thrown himself into court life, he was kept almost perforce in its *milieu*.

iii. Howard House (the Charterhouse).

About 1576 he came to court, and from this time his London home would have Howard House, better known by its more ancient title of the Charterhouse. The original monastic buildings, after having passed through three or four hands, had been purchased in 1564 by the fourth Duke, who had rebuilt and remodelled them, so that the central buildings were in Earl Philip's time already in much the same form as they stand to-day. It is true that neither his name nor his arms anywhere appear on the walls, but their places may not improbably have been taken by those of Sir Thomas Sutton (the next holder but one), which are now to be seen in several places, where previous owners had presumably placed theirs before.

The Howard arms are found on the bosses of the ceiling in the State Room, but these are presumably the arms of Duke Thomas. No doubt there is much in the modern Charterhouse, which Earl Philip would have remembered. Nowhere else would he recall so much as here and at the Tower. The Hall, the State Room, the Stairs, the old courts, with their mellowed red-brick walls, are largely as they were in his time. On the other hand there have also been many small changes, even in the central buildings, and the surroundings are quite revolutionised.

For the rest Earl Philip did not live very much at the Charterhouse. After the death of his grandfather the Earl of Arundel (24 February, 1580) he inherited Arundel House, Strand; and took it as his principal residence in London. Howard House seems thence forward to have been used chiefly for followers, servants and retainers. Government too would sometimes quarter an ambassador or foreign agent there; but the house was so large that such a thing might be done without occupying more than a part of the buildings.

After Earl Philip's first disgrace, January to April, 1584, we hear more of the first home. The Countess came here after her return from confinement in September, 1584 (p. 57). The house was perhaps quieter, less pervious to Walsingham's spies, and to treacherous servants like George Law. This will probably be the reason why it was that the Earl returned to the Charterhouse in order to meet Father Weston

for his reconciliation to the church, 10 and 30 September, 1584, as the indictment tells us (p. 226). Here also he came on the 4th of October and on the 20th and 30th of November following for correspondence with Cardinal Allen (*ibid.*). Finally it was from here on the 14th of April, 1585, that he started off on his last attempt to find freedom by flight. It is possible that his previous attempts had also been made from here.

On the 14th of May 1585, after the Earl's imprisonment in the Tower, a number of Howard followers 46 in all were discharged from Howard House. The crown agents were already grasping at the prey fallen to their hands, though as yet no proceedings had been taken against the Earl. Some of these servants went to "my lady's house at Romford." B.M., *Egerton MS.* 1074, ff. 44, 46, 47 cited above p. 125. *See also* Appendix, pp. 313, 344.

In 1589 the puritans during the Marprelate controversy charged Archbishop Whitgift with tolerating some followers of the Countess of Arundel, who were printing papistical books at Howard House, while they (the puritans) were being harried by the Archbishop's pursuivants (Strype's *Whitgift*, I. 579–580).

As to this one may say on the one side that the puritans were exceedingly credulous against the Archbishop, and that it is almost incredible that Whitgift should wittingly have given such encouragement to Catholics. Moreover the Countess had by then lost her authority over Howard House. On the other hand it is true that she supported Father Robert Southwell, who did print catholic books in London about that time, and it is also likely that the countess, if she cared to exert influence, might very possibly have obtained shelter in Howard House for him. So while the statement remains improbable, one cannot reject it as impossible.

iv. Arundel House, Strand.

In February 1580 Earl Philip inherited Arundel House, Strand. These buildings remained the London home of the family for about a century until they were pulled down in 1678. During the Earl's sojourn in the Tower they were let to the Lord Chamberlain, Lord Hunsdon, one of his chief persecutors. Nevertheless he allowed the Countess to retain some rooms there, and also to use the garden.

The glories of the house came later, when Philip's son, Earl Thomas, established here his celebrated art collections, which may in their way be said to have been the germ of the art collections of modern England. The "Arundel Marbles" at Oxford, and the "Arundel Library" at the British Museum still preserve the memory of this once famous house.

In Earl Philip's time, however, all this was a matter of the future. He came into it just as his fortunes began to rise, and he afterwards endured in it the first humiliations of his fall. It was here that he entertained the envoys for the French match with feasts and tourneys; hence that he rode out gorgeously dressed for pageants full of subtle meaning. Here he entertained the Queen on the 20th of December 1583. It was one of her diplomatic, not to say crafty visits, graced with specious praises, but ending in his confinement for half a year within its walls (Dec. 1583 to April or May 1584). Of the house and garden,

as he left it, a few details may be found in B. M. *Lansdowne* MS. xlv, f. 197, &c.

v. Arundel Castle, Sussex.

With Arundel House in London Philip had partly inherited, partly acquired from the co-heir Lord Lumley, the castle and Honour of Arundel. (Several details of the buildings, as they then were, are given in the Inventory, taken 20 July 1580, of the furniture of 21 specified rooms. B. M. *Lansdowne* xxx, end.)

To this beautiful park and estate, he seems now to have had recourse more frequently than to Norfolk; and in October 1582 he was dealing with Lord Burghley for the loan of a house near Chichester belonging to the Bishop of the see. From the *Privy Council Registers* (*see* p. 25) we see that the Earl was frequently appointed to conduct public business in the neighbourhood.

While therefore the presumption is that he passed the greater part of his time at London, in attendance on the Queen, who was so great a lover of the Metropolis, he also certainly lived much in Sussex. The indictment describes him as "Nuper de Arundel in comitatu Sussex." His wife had a small house at Romford (Essex) 12 miles from London. But it is possible that she did not use it much before the period of her husband's misfortunes.

It was at Arundel Castle, some time in 1583, that the Earl, after a prolonged mental struggle, resolved to become a Catholic. Local tradition points to the present Library, once the great gallery, as the scene of such a conflict, but one (knows not why) connects it with the Earl's letter to the Queen, which was certainly written in London. The spiritual debate before conversion is placed "in the gallery of the Castle" by *The Life* itself, pp. 19, 20.

For the actual reconciliation (30 September, 1584) the Earl went back to the less frequented Charterhouse, as has been said above, as also at certain later dates in October and November, connected with his correspondence with Dr. Allen. His last visit there was before his attempted escape in 1585.

The previous attempt, made at Michalemas 1584, very probably started from the same spot. He then rode to [? East] Grinstead, when he changed his plan and returned again, p. 119.

He attended regularly the sessions of parliament from 26 November 1584, to 29 March 1585 (p. 98) and took his turn in the court ceremonies (p. 105). From all this we infer that his ordinary residence was in London and at Arundel House from September 1584 to mid April 1585.

April 14-25, 1585. In the last attempt to escape he rode to Lymington, Hants, where he put to sea. But his boat was soon captured and he was taken to the Isle of Wight. From thence he was returned to London, and soon housed in the Tower.

vi. The Tower of London.

Arrived at the Tower on the 23rd or 25th of April 1585, he was confined in the Beauchamp Tower, and there, except for short intervals, he remained till his death.

He would probably have been taken to the Lieutenant's Lodgings, by the Bell Tower, for such examinations as were taken during this period. He was also transported to the " Star Chamber," in Westminster Palace for the proceedings there, 17 May 1586. Also to Westminster Hall for the attainder of April, 1589.

Besides this he was removed, during the protestant ferment which followed the discovery of the Babington plot, to the more secluded eastern flank of the Tower. As the Earl used before to take his exercise at regular times on the castle wall, within sight of passers by on Tower Hill, the fanatics feared that someone might signal to him. He was moved presumably to the Lanthorn Tower in October 1586 (p. 151). Hopton calls this Tower " his [the Earl's] old lodging "—so he must have lived here at some earlier date, and he was to return to it later. This time his stay cannot have been long, for he has left inscriptions on the walls of the Beauchamp Tower dated March and June 1587. By Christmas he was back in the Lanthorn, where he lived in the upper storey, took exercise in the adjacent " Queen's Garden," and was allowed from time to time to go into the Queen's Gallery, which led off to the North.

Now that Mary Stuart was dead, a slight relaxation of prison severity began, and taking advantage of this, the Catholics, by bribing their guards, and procuring false keys, were able to meet together for Mass. By giving money to the Lieutenant's daughter, it was arranged that old Father Bennet should be confined in the lowest story of the Lanthorn Tower, from which he could get out through a hole in the wall closed with wickerwork. Then he went up to the floor above, which communicated with the Queen's Gallery. A key to this had been procured, and other Catholic prisoners might be let in to the mass, which was said in a locked closet, of which Mr. Abington procured the key, at a window looking out to the south-west.

The details are mentioned chiefly in the examinations of Bennet and Gerard, nn. xlvii, xlviii.

Unfortunately the site has in modern times been revolutionised. The Queen's Gallery has long since been removed. The Lanthorn Tower was partly destroyed in the fire of 1788, and the remains were afterwards taken down. In early Victorian times a new tower was erected, but how far it represents the old, no one knows.

On the 16th of October, 1588, or thereabouts, most of the Catholic prisoners in the Tower were, after the government inquiry, consigned to other prisons. So we may presume that the Earl was then at least returned to the Beauchamp Tower, whence (except for his exercise in the Queen's Garden, with his warder) he only came out for examination and trial.

On the walls of his cell he has left three inscriptions, and no words can describe his cause more pithily than they. They are now numbered 13, 90, 91, and are cursorily described in Dick's *Guide*.

The earliest is probably No. 90, in the passage beyond the large room, on the right hand splay of the first loop-hole. This is a small crucifix, about 3 inches high. The figure of the crucified is roughly yet fairly well cut ; and the cross itself is slightly out of the perpendicular. No name is attached, and by consequence the guide-book gives no aid

to identify the carver. But the *Life* of the Earl, establishes beyond doubt that he did carve a " holy cross " or crucifix on his prison walls, and this it states on the authority of the Earl's servants. The only other cross (it does not bear the figure of Christ) on these walls bears its carver's name "Peverel."

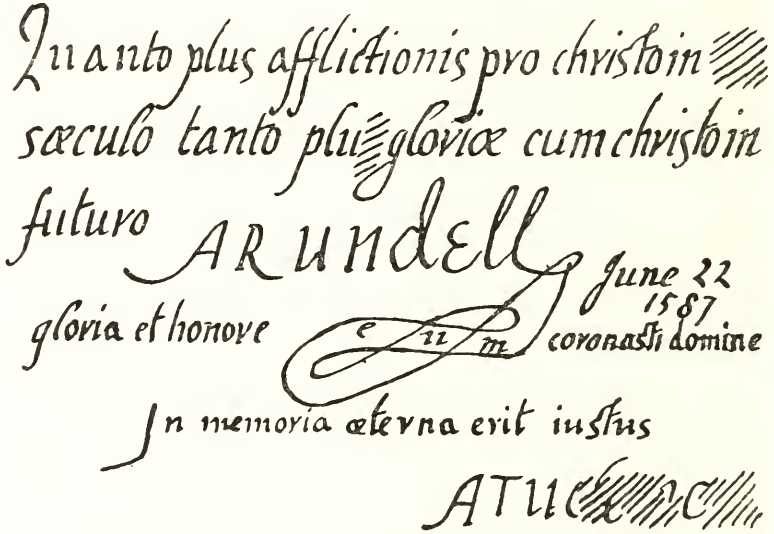
The biographer tells the following story about the Earl's crucifix, and he mentions it as an illustration of his readiness in answering: " The Earl in the time of his recreation was engraving with his knife ye sign of the Holy Cross in a stone of the wall of his chamber; and [his Protestant keeper] seeing him to have hurt his hand a little by the accidental slipping of the knife, said thus—Your Lordship may see by this how soon the Lord doth hinder this unlawfull work you were in hand withal—Nay rather—answered the Earl—you may mark how quickly the devil hath applied himself to hinder so good an action." This is vouched for by " Mr. Keeper, who . . . as I take it was a ear-witness thereof." (*Life*, p. 129.)

No. 91. At the left of first loop-hole on the arrival landing at the top of the stairs. It is now under glass, very obscure, and impossible to read without artificial light.

SICVT · PECCATI · CAUSA · VIN-
CIRI · OPPROBRIVM · EST · ITA
E · CONTRA · PRO · CRISTO · CVS-
TODIÆ · VINCULA · SUSTINERE
MAXIMA · GLORIA · EST — AMBRO.
ARVNDELL · 26 OF MAY, 1587

Roman Capitals; ST are always tied; about 10 inches by four. Figured in *The Life* by G. Ambrose Lee (C.T.S. 1887), but the first word is mistakenly given as " Sunt." The *Guide* gives the words in English and imperfectly.

No. 13. Over the fire-place.



The Great Inscription in the Beauchamp Tower.

Italic script, incised in lines about 2 ft. 4 inches in length. A good facsimile is published in J. Brand *Inscriptions*, &c., 1796, in *Archaeologia* xiii. Copies of this in the "Guide," and in Lee.

The above facsimile aims at an accurate representation of the *character* of the two hands, not at a photographic reproduction of minute details. The letters have been probably incised with a knife rather than with a carving tool; and by consequence the smaller curves are often irregular. The *Life* p. 110 quotes the Earl's inscription accurately, but says nothing of Tuchiner's addition, nor of the signature or the date. The biographer adds that the Earl used often to point his servants to it. The Earl's words are presumably a quotation from the Fathers, as No. 91, but I do not know the reference. I am also unable to explain what occurrence in June 1587 led to making the inscription.

The signature contains the peculiarities of the Earl's ordinary signature, *i.e.*, the two capitals, the increased size, and the paraph. But in the latter there is a variation. The usual paraph may be described as an italic capital J., with a head almost as large as the lower loop, and the tail of the loop is passed back through the lower bend of the head. Here however the bottom loop is formed first, and the head becomes a figure of 8, lying horizontally.

TUCHINER'S ADDITION. Across the figure of 8 in the paraph there is a later inscription by a subsequent prisoner in the same cell. His signature is here broken and not entirely legible: but in No. 50 it is printed out in Roman capitals ANTONY: TVCHINER. The name appears several times in this volume. He here uses the italic script of the day, which the Earl had used before him. It is at first sight sufficiently like the Earl's hand to make the change easily overlooked; but on closer inspection several individualities will be noticed, which occur both in the inscription and in the signature. The text *Gloria et honore coronasti eum domine*, occurs in Psalm viii. 6, and is quoted in Hebrews ii. 7, the words *In memoria æterna erit justus* come from Psalm cxi. 7. Both texts recur frequently in the liturgy.

The praise conveyed by these texts is high indeed, and the clever way in which the word "eum" is inserted into the flourish of the paraph, brings that praise home with striking emphasis. Nevertheless there is a subtle difficulty here. The very honorific terms of the texts will probably make the casual reader think that they must have been cut after the martyr had come to his crown. In fact however Tuchiner was removed from the Tower long before the Earl, probably in October 1588 (*C.R.S.* ii. 281); and he afterwards appeared in court to attest his examination (pp. 261, 286).

The words must therefore have been sculped while the Earl was in the Lanthorn Tower (? December 1587 to October 1588).

This makes a difference in the significance of the words: which are certainly unusual when applied to a living person. In endeavouring to analyse a compliment however, we must guard against overemphasis. What is clear is that this fellow-sufferer felt an ardent admiration for his noble co-religionist, despite all the humiliations of persecution, trial, imprisonment. "With glory and honour Thou hast crowned him," as if hope was so vivid, that God's promised reward seemed within touch, as if it were already had and held in the past tense. Perhaps that was somewhat strained and ill-fitting; perhaps it looks forward to freedom after the Armada. We know that other extreme

compliments were paid at that time (pp. 199 and, if reliable, 286). We also remember that these texts were fixed by the scripture.

There are many other Catholic inscriptions in this room, which would have met the Earl's eye. A few have perhaps been taken out from other rooms and built in here; but most are evidently still in their original positions. As an example that of James Typping, a companion of the Earl, may be quoted.

TYPPYNG · STAND · AND · BERE · THY · CROSS
FOR · THOW · ART · CATHOLYKE · BVT · NO · WORCE.
AND · FOR · THAT · CAUSE · THIS · 3 · YEAR · SPACE
THOW · HAST · CONTEANEWED · IN · GREAT · DISGRAC
YET · WHAT · HAIP · WILL
HIT · I · CANNOT · TELL
BVT · BE · DEATH † OR · BE · WELL
CONTENT
SWEET GOOD

From the dagger onwards the inscription passes on to a new stone; perhaps this is a restoration; at all events the termination is quite corrupt. Though there are many Catholic names on the walls, we cannot say how many the Earl would have recognised, for they are generally bare names without explanations. The dates would sometimes tell something, and some names, like that of Charles Bailly, belonged to Howard followers, of whom he would of course have known much.

It was in the Beauchamp Tower that the death scene took place, described above p. 333.

The first burial was in St. Peter's ad Vicula, in the chancel (p. 314 and *Life*, 122) in the same tomb that had received his father in 1572. The Earl had providentially been present in the chapel in September 1581, when Edmund Campion was disputing (p. 32).

Relics.

"In the year 1624, by the procurement of the *Countess* his wife and *the Earl* [Thomas] his son [his body] was removed from thence, and brought first to her house at *West Horseley* in *Surrey*, and being put into an iron coffin, which she caused to be purposely made and conveniently adorn'd for it, was soon after convey'd to *Arundel*, and there deposited in a vault built at her appointment also, for herself and those of her posterity and family: with this Latin Inscription upon it:—

Phillippi Comitis olim. Arund. et Surr. ossa veneranda hoc loculo condita, impetrata a Jacobo Rege veniâ, Annæ uxoris dilectissimæ cura, Thomæ Filij insigni pietate a Turri Londinensi in hunc locum translata sunt anno 1624. Qui l$_{ei}$ ob fidei Catho. professionem sub Elizabetha carceri mancipatus, d nde poenâ pecuniaria 10000 lib. mulctatus, tandem capitis iniquissime condemnatus, post vitam in arctissima custodia in eadem Turri an. 10 mens, 6 sanctissime transactam pijssime, 19 Oct. 1595, non absque veneni suspicione, Dominoin obdormivit.

From *The Life*, pp. 122–123.

In 1874 Father John Morris S.J., then postulator of the English martyrs, was editing a list of the relics of the English Martyrs, and on application to the late Duke Henry, he received the following letter:—

Arundel Castle, Arundel, Oct. 21, 1874.

My dear Father Morris,

. . . . With regard to Philip Howard, I do not think the extract from Bayley can be correct.

The bones of the Earl are in an iron chest in the vault of the Fitzalan Chapel here. Each bone is wrapt up in silk. Canon Tierney on one occasion opened the chest, and took out one of the bones, which he either at that time or afterwards gave to my father.

Had the skull been missing I cannot but think he would have mentioned such an important fact, and that we should have remembered it.

The bone I speak of my mother has in a gold reliquary. . . .

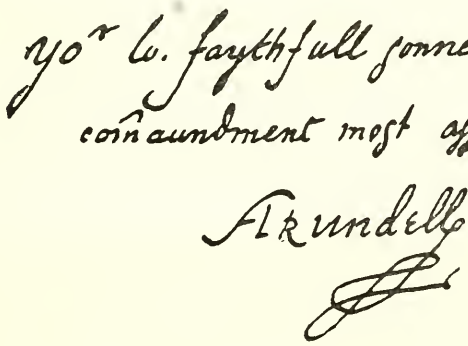
Believe me yours very truly,

NORFOLK.

III.

HANDWRITING.

As has been seen above, not a few holograph letters of the Earl are extant, but owing in part to his father's testamentary directions, in part to the supremacy exercised by Lord Burghley, they are all directed to that powerful minister, on whose favour so much depended. By consequence none is really free, familiar, chatty. The handwriting reflects the mood. It is always formal, correct, respectful. Only once in later boyhood is it flowing and easy (No. vii). The first letters of all (Nos. i & iv) are singularly neat, a clear well-formed hand, with every flourish perfect. This is especially true of the latin letter, written in a Roman, or, as we should say round hand. The farewell formula to Lord Burghley is always the same, and its characteristics are readily seen in the line drawing below.



FAREWELL FORMULA, SIGNATURE, AND PARAPH.

The peculiarities of the flourish or paraph have been described above, pp. 48, 355.

IV.

Portraits of Earl Philip.

(*a*) *Pictures in oil.*

Miniature, belonging to Sir Henry Jerningham. *See* Frontispiece.

The following Portraits were shown at *The Exhibition of the Royal House of Tudor* in the *New Gallery* in 1890.

1. Bust; life size; looking to left.—Black coat; white ruff.—Canvas; Oval. 23 × 18 inches. [Memoir follows] by Zucchero. Lent by the Duke of Norfolk, E.M., K.G.

Catalogue of the Tudor Exhibition, 1890, page 89, No. 286.

2. Small bust. Looking to right.—White doublet with silver lace and buttons; black coat; large white ruff. Round panel, 11 inches. Lent by the Duke of Norfolk. Reproduced above, p. 98.

Catalogue, p. 89 : n. 287. Reproduced in Brennan *House of Howard* ii. 476, and elsewhere.

3. Bust of a youth; life size; looking to left—Black dress, white ruff. Canvas, oval, 23 × 19. Lent by Rev. Mgr. Lord Petre.

Catalogue, p. 143, n. 487.

4. Portrait as a child. Oval, reproduced above, p. 18.

At Arundel Castle.

(*b*) *Engraved Portraits.*

British Museum Department of Prints & Drawings, *Catalogue of Engraved British Portraits.* Vol. I, A-C., contains descriptions of three engraved portraits.

1. Half length, looking to right, in ruff and cloak. Plate to folio edition of Lodge's *Portraits* 1825. Stipple 7 × 5¾ in. Painter, F. Zucchero. Engraver, J. Thompson.

2. Half length looking to right : oval. Without inscription (Hymans 135) line 6½ × 4¾. Engraved by Vorsterman.

3. Reversed copy of the last. Published by J. Thane : line : 3⅜ × 3.

4. Miniature bust, nearly full faced; large hat with scarf and feather; moustache long, beard with two points; ruff full and trimmed with lace; doublet of slashed silk. Lettered—"Philip Howard, Earl of Arundel, from a miniature by Isaac Oliver in the possession of the Earl of Carlisle." Published in 1808. Round, 1½ inches.

From a copy belonging to Sir Henry Jerningham.

The portrait of Anne Dacre, Countess of Arundel, formerly at Greystoke, was unfortunately burnt a few years ago.

V.

Beatification.

The process of his beatification was commenced with that of the other English Martyrs in 1874; and his cause was "admitted" with rest in the decree of 9 December, 1886, *see* Burton and Pollen, *Lives of the English Martyrs*, 2nd Ser., 1886, I, p. 32. Philip Howard thereby became entitled to the prefix—Venerable.

VI.

Some unfortunate lacunae will have been noticed in the above collection of documents, due (as has been each time pointed out) to war conditions. Since the armistice, however, nearly all the deficiencies have been filled up, and the documents here follow each other in chronological order.

1. George Laughton to Lord Burghley.

[Walden], 1 October, 1575.

Hatfield House, *Cecil Papers*, viii, 68. *Calendar* n. 335. See above pp. 16, 21. Holograph, 1p.

Doleo certe (honoratissime vir) quod eo tempore me male habuerim, cum de progressu eorum qui mihi commissi sunt, et de ordine quem in illis erudiendis teneo, certior fieri voluisti. Nunc autem quoniam ut scriptis fieri postulas, quod ex viva voce ante expectabas, explicabo tibi eam viam et rationem quam sequor in docendo. Comitem Surrianum singulis diebus aliquid legentem ex Platone vel ex Demosthene, quod ipse secum ante diligenter perpenderit, per majorem partem unius horae, audio. Postquam id praestiterimus, ille aliquem Italianum vel Gallicum librum in manus assumit, ubi cum quantum sibi temporis videbitur consumpserit, legendi finem facit. Post prandium latinos, Italianos vel gallicos libros, pro ut libitum sibi fuerit, pervoluit, et cum legendi satietatem senserit, deponit libros, et dat animum jucunditati et jocis. Dm [Dni] alteri ut par est propter teneram adhuc aetatem, minus habent laxamenti. Quamobrem integrum saepe diem legendo scribendo et meditando consumunt, et conterunt. Diebus lunae, Martis, et Veneris primum praelegitur eis aliquid ex Catechismo Magistri Nowelli, quod illi, ex latino sermone in vernaculum transferunt, et rursum, ex vernaculo in latinum, consideratis interim et notatis iis, quae occurrunt digna animadversione. Cum hoc absolverint, legunt officia Tullii, et pro ut ipsa lectio præbuerit occasionem, dictata quaedam componunt. Postremo priusquam a schola dimittuntur, legunt aliquid latine ex novo testamento alter ex evangelio, alter ex epistolis, quod eo usque continuant dum a Schola ad divinas precationes avocantur. Diebus Mercurii et Jovis in eisdem libris et eodem modo et ordine versantur, nisi quod pro Catechismo Ovidium de tristibus sibi prelectum habent. Die Sabbathi revocant ad memoriam ea omnia quae tota superiori septimana legerant et didicerant. Sed haec omnia exercitia matutina sunt, jam accipe pomeridiana. Post prandium unam integram horam animos ad musicam applicant, tum aliquantum temporis scriptioni impertiunt, et postea ad studia sua et libros redeunt, et unam ex Ciceronis familiaribus epistolis, vel partem aliquam, si tota fortasse epistola fuerit prolixior, habent suae curae et diligentiae commissam. Ubi vero eam explicuerint, et quædam ex ea latine reddiderint, tum convertunt sese ad officia Ciceronis, ubi diu propter exiguitatem et brevitatem temporis, commorari non possunt. Hiis ita perlectis et absolutis lectionem quandam ex graeca grammatica memoriter pronunciant, quam cum recitarint ad vespertinas usque preces in Sacris scripturis legendis occupantur. Habes (illustrissime vir) mea cum discipulis meis exercitia, quæ ut prodesse eis possint ad cognitionem et pietatem a deo ardentissimis

precibus contendo. Valeat tua dominatio. Datum ipsis Calendis Octobris.

Tui honoris humillimus servus . . .

GEORGIUS LAWGHTON.

Addressed: "To the right honourable the Lorde Burghley Lorde high treasurer of England and one of her Maties most honourable prevy counsayle."

Endorsed: "Calend: Octob. 1575. Mr. Laughton ye Erle of Surreys reader, the exersises used."

TRANSLATION.

I grieve certainly, honoured Sir, that, at the time you wished to hear of the progress of those in my charge, and of the method I follow in their education, I was in bad health. Now that you ask to have in writing, what you previously expected *viva voce*, I will set before you my order and manner in teaching.

Every day I hear the Earl of Surrey read from Plato or Demosthenes some passage, which he has before studied with diligence, for the greater part of an hour. After we have done this, he takes in hand some Italian or French volume, in which when he has spent as much time as he likes, he ceases his reading. After dinner he takes up Latin, Italian or French authors, as his pleasure may be, and when he feels satisfied with reading, he lays aside his books, and takes to amusements and games (*jucunditati et jocis*).

The other [two Lords], as is fit at a tender age, have less of freedom [from discipline]. Wherefore [? on Sundays] they often spend and pass the whole day in reading, writing and reflection. On Monday, Wednesday and Friday something is first read to them out of the Catechism of Master Nowell, which they translate from the Latin into their native language, and back from their native tongue into Latin, having meanwhile thought and noted what seemed worthy of remark. When they have finished this, they read Cicero's *De Officiis*, and as the lesson may offer an opportunity, they compose some axioms. Finally before they leave the schoolroom they read some lines in Latin from the New Testament, the one from the Gospel, the other from the Epistles, and this they continue until they are called off from school to Prayers. On Tuesdays and Thursdays, they occupy themselves with the same books, and in the same manner and order, except that, in place of Catechism, their lesson is from Ovid's *Tristia*. On Saturday they recall to memory everything they have read or learnt all the week before. But these are their morning exercises. Now for those of the afternoon.

After dinner they apply their minds to music for a whole hour, then they give a good space to writing. Afterwards they return to studies and books, and one of Cicero's *Epistolae Familiares* (or part of one, if the whole would be too long) is the object of their care and diligence. When they have explained this, and have retranslated some part, they turn to Cicero's *De Officiis*. But here, considering the few and brief minutes left, they cannot dwell for long. These books being read and finished, they say a certain lesson by heart in Greek

Grammar, and this recitation over, they are occupied till Prayers in reading the Holy Scriptures. Now you know (most illustrious Sir) how I train my pupils. That it may be profitable both for wisdom and for piety, I entreat of God with most ardent prayers. May your Lordship fare well! Dated on the kalends of October, your honour's most humble servant.

GEORGE LAWGHTON.

2. THE EARL OF ARUNDEL TO LORD BURGHLEY.

London, Arundel House, 19 October, 1582.

Hatfield House, *Cecil Papers*, clxii, 71; *Calendar* ii, 1223; above p. 37
Ironical references to his enemies at court, and a request to hire the Bishop of Chichester's empty house.

I would have wayted on yor Lo., but y^{t} ye plague hath so besett and encompassed my house here, as I am enforced to make greter speed in going away then otherwise I would have done; and wth all to perfourme that by my lr̃es to your Lo., wch if I had stayed one day longer, I ment to have done by my self. And as I hope by this meane both to excuse my not seing of yor Lo. before my departure, and wthall to heare of yor good helth and well doing (wch I wish may still contynue), so can I not hould from letting yor Lo. to understand how much I am bound to some at ye court, whose favoure in this kind I have ever rather expected then desired. For I have not bene long absent from the place, and yet they have so often remembred me in so short a tyme, as I have no cause to doute that they will omytt any opportunyty to do me good, and theire untrue reports of late are sufficyent to assure me that, when they want a good opportunyty in deede, they wil be redy to devise and imagine one in theire owne conceyte. The particulers wch are of no importance, and yet discover infinite mallyce, I will not trouble yor Lo. wth, tyll I may wayte uppon you to declare them my self. Only this I must nedes saye, that ye worst I wish them for all this is, that it would please god to refourme theire harts: and the best y^{t} I desire for my self (as he can wittness wch knoweth all things) is that I may ever receyve as I shall deserve, and wth all be assured of ye protection of so honorable and faythfull a frend as yor Lo. in all such causes as you may wth right and justice defend, and I both wth my duty to hir Ma^{ty} and wth my credytt to ye world mayntayne. And if it please yor Lo. to allowe me this favoure, as I was only commytted to you by my father, so shall I for ever acknowledg my self wholy bound to be at yor commandment and so for this tyme wyll leave to trouble yor Lo. and pray unto god from ye bottome of my hart to send you all honor and happines. From Arundell house this present Fryday morning.

Yo^{r} Lo. most faythfull and adopted sonne for ever.

ARUNDELL.

The ayre of my house in Sussex is so corrupt ever at this tyme of the yeare as, when I came away I left xxiiij^{ty} sick of hott agues. Wherfore ye bishopp of Chichester being dead, and I wanting any house to remove unto, I besech your Lo. y^{t} I may have ye bishopps house nere Chichester, to use till I may otherwise provide myself. And if

in ye meane tyme a new bishopp be made, I will be redy at all tymes w^th^in a monthes warning to resigne ye same. And for ye park eyther to pay such rent as it was lett for at ye last vacatyon, or as otherwise yor Lo. shall think convenient.

Addressed: "To ye right honorable my singuler good lord, ye Lord Burleigh, lord highe Tresorer of England. dd."

Endorsed by Burghley: "20 Octob. 1582. Erle of Arundell." And by Sir Robert Cecil: "readde." [20 October 1582 was a Saturday.]

3. Anthony Tyrrell [to the Earl of Arundel.]

London, 13 February, 1587.

Hatfield House, *Cecil Papers*, xiv 58; *Calendar* iii, 222; Above p. 153.

Sutche is the nature and vilitie of synne (right honorable), yt when once y^t^ hathe corrupted ye sowle, it maketh a man paste all reason and understandinge, wherby both wth owt all feare of god, or respect of persons, mannes mallice not onlie seaketh to annoye ye juste and innocente, but bandeth most monstrouslie against god himselfe. This I saye for y^t^ yor honor shall not be scandalized, when yow shall understand how deplie I have sclaundered yow; for ye same sinne and wicked spirit, y^t^ made me to abandon my faith, feare of god and all religion, hath made me thus monstrouslie to behave my selfe towardes yor honor as by the sequeell may appeere. For ye wch beinge at the lengthe thoroughe the great mercye of god most depelie touched in conscience I coulde not but laye open my most grevous offences, chusing rather to incurre therby all temporall shame and punishment whatsoever, then y^t^ my conscience should be clogged wth thease synnes at the latter daye: wishinge y^t^ I wear any wayes abell eyther by death or other punishment to make unto yor honor a sufficient satisfaction, for ye wch since by noe meanes I may, I can but confesse trulie my fault, and most humblie on my knees aske of yor Lordshipp pardon and forgyvenes, as also of the countess yor honor his wel-beloved Espowse and wiffe, whom as I have in lyke manner falselye sclaundered, soe I thought good to joyne yor purgations both together in one letter. Wherein as I have wth myne owne hande written to my lord Thresorer many most foule and notorious untruthes against yow, soe could I not in conscience be satisfyed, untill with myne own hand writinge I had purged either of yow agayne; and ye rather thus breiflie by letter, for y^t^ I knowe not how soone eyther of yow may be touched uppon my false accusations; and therfore y^t^ yow should not be unprovided of my awnser, wch as breiflye as I can, I doe now sett downe.

The perticuler accusations wherw^th^ I charged the E. of Arundell in my letters unto ye L. Thresorer, wch I protest as I hope to be saved wear only of my malitious head invented, for the purchasing of myne owne credytt, and not one of them trewe unto my knowledge, wear thease

1. First I accused the Earle for sendinge over of summes of money unto M^r^. Edward Gratley preist beyond the seas, and y^t^ M^r^. Ballard y^t^ suffered should have byn the messenger; wch I protest accordinge to my knowledge to have been most false, and y^t^ I never knewe the Earle to have byn acquaynted wth Ballard, or to have sent Gratley

any pennie in his lyfe. [*Marginal note by Burghley*: "Edw. Gratley, Ballard."]

2. Secondlie I accused ye E. of Arundell y^t^ before his committinge unto ye tower Ballard and my self, beinge one daye at Romford in Essex, should there have mett wth Burlace ye Earle his man at the Cocke in Romforde, and how y^t^ Ballard should receave of this Burlace one 100^l^, as money sent him from the Earle, and to be employed I knowe not unto what uses. The wch I protest to have been most untrue, and yt I never did knowe of any suche matter. [*Marginal note by Burghley*: "Burlacy 100^l^ to Ballard."]

3. Thirdlie I accused the E. y^t^ he should sende letters unto D. Allein by M^r^. Gratley, wch letters should import the comminge over of the Earle and the cause wch was to joyne wth the D. of Guise for the deliverie of the Scottishe Quene, and how yt D. Allein upon the peruse of those letters should verie muche rejoyce, and writ therof unto the D. of Guise, whoe should awnser againe—y^t^ if ye Earle cam he woulde not lett to assist him wth men and money sufficient for suche an enterprise, wch I protest to have byn most false, and a matter of myne owne inventinge. [*Marginal note by Burghley*: "Allen. Gratley."]

4. Fourthly I accused ye E. for receving a message sent unto him by the D. of Guise since the Earle his beinge in the tower; and how y^t^ Gylbert Gyfford should be the messenger. The effecte of wch message was y^t^ ye Earle should be of good chere, for y^t^ ye Duke dyd hope w^th^in a short tyme for to see hym and to deliver him owt of captivitie; and how y^t^ this messadge should have byn convayed unto the Earle by the means of the Cowntesse. The wch I protest to have been most false and a matter of myne owne inventinge. [*Marginal note by Burghley*: "D. of Guise."]

5. Lastlye I accused the Earle as one y^t^ was privie unto the Starchamber practice for the murderinge of certain noble men: and how y^t^ by the treason of the Earle his frindes, the Tower should have byn surprised, him selfe delivered, made a captaine, under whose banner all Catholicks and malcontents should have bonded in the behalfe of the Scotishe quene. All the wch I protest to have byn most false. [*Marginal note by Burghley*: "Ster Chambre."]

Thease be the perticulers to my remembrance, whereof I accused yor honor: for ye wch on my knees most humblie I doe aske of yor lordshipp pardon and forgyvenes.

The perticulers wherof I accused the countesse of Arundell weare thease as followe.

1. First that Gylbert Gyfford after his comminge owt of fraunce shoulde be brought secretlie unto the Countesse in a Coache, she lying then at the spittel, wch Gylbert G. should bringe unto the Earle the forementioned messadge from ye D. of Guise, and howe y^t^ the Cowntesse devised a meanes to have the message sent, wch I protest to have byn most false, for any thinge y^t^ ever I had hard or seen. [*Marginal note by Burghley*: "Gilb. Gifford."]

2. Secondlie I accused the Cowntesse for entertayninge one baylie, as sent unto hir from Gratley beyond ye seas: wch I protest to have byn

also most false for any thinge y^{t} ever I knewe. [*Marginal note by Burghley*: " Bayle from Gratley."]

3. Thirdlie I accused the Countesse for entertayninge once my selfe beinge a Seminarie preist when she did lie at Weldhale in Essex; when as my only cause of comminge thither was to speake wth one of hir gentlemen wch had been an old acquaintance of myne; by whose entreatie I stayed ther onlye one dynner, and had no speeche or conference wth the Countesse, and did onlie see her by chaunce as she cam for her dinner unto her chamber; and therfore in accusing hir honor for yeldinge me any enterteynment I did her great injuries, sence she was by noe meanes made privie to my beinge ther. [*Marginal note by Burghley*: " Tyrrell."]

4. Lastlie I accused the Countesse for entertayning of Ballard, when as I protest as I hope to be saved, y^{t} I did not knowe whether ever she did see the man in hir life, and therfore I acknowledge my selfe most falselye to have accused her, and on my knees I doe most humblie crave pardon and forgyvenes. [*Marginal note by Burghley*: " ballard."]

Thease be the particulars my good lord. wherein I have both accused yor honor and the Countesse enduced therto thoroughe myne owne wickednes, and the instigation of my ghostlie enemie, to the dishono^{r} of god, the overthrowe of his Catholic Churche, ruin of yor honors, and discomfort of all good men: protesting, as I have protested, y^{t} in no one poynt I have spoken trulye either of yor honor or the Countesse. Hopinge y^{t} god of his Justice will defende yor innocensies and of his mercye pardon me most sinfull wretche for thease my greate misdeedes, and procure me compassion from both yor honors. In hope wherof I most humblye take my leave. From my chamber in London the 13 of Februarie Anno 1587,

By me Anthony Tyrell preste

Endorsed by Burghley: " 23 Martii 1586. This wrytyng was cast into ye Arundell houss in ye name of Anthony Tyrrell, a lewd priest."

4. The Earl of Arundel to Lord Burghley.

The Tower, 15 April, 1587.

Hatfield House, *Cecil Papers*, xv, 106; *Calendar* iii, 246; above p. 157, holograph, 1 page.

May it please yor good Lo. As I am to yeld you humble thankes for yor most honorable letters, wrytten in my behalfe to my Lo. Chamberlaine and M^{r}. Vice Chamberlaine: so am I also wth yor Lo. favoure, to infourme you of ye successe wch my sute had. Hir Ma^{ty} was content that I should remove, so that my lodging had no prospect to any place, wherby people usually passed; for that yf I had such a lodging I might make signes &c. There is no prison in all this house, excepting this, but hath prospect eyther to St Catherins, East Smithfeild, Tower hill, or Tower wharfe, all common passages: neyther have I given (as I hope) cause at any tyme, to be reputed so daungerouse a man, as I might not be lodged in a place, where I might see men as they past.

Hir Ma^{ty} added wthall, that I made quarrells to particuler men, with much more. Surly my good Lord it seameth that particuler men have quarrells to me, and have incensed hir Ma^{ty} against me, more then I have

deserved, or they are able in truth to justifye, or can in conscience answere. The worst I wish them, is that it would please god to forgive, and amend them. That charity of theirs, wherof I have longe tasted, I do now finde aboundantly against this holy tyme: I was in good hope that my dutifull mynd, together wth the tyme of mine imprisonment, and mine innocency, most manifestly appearing in all these late conspiracyes, should have found more favoure in hir Ma^tyes^ sight. But as I am sure it procedeth not from hir owne nature; wch is most graciouse: So do I nothing doute but that this conceyte had never taken roote in hir Ma^tyes^ minde, yf your Lo. had bene at the courte, who hath hetherto contynually defended me by yor most honorable & fatherly protection, from the bitter stinge of these venemouse tounges. Yo^r^ Lo. is the man both from whome I have receyved all good hertofore; and also by whome I hope to receyve any good that I shall do herafter. Wherfore I am humbly to beseech your Lo. that it would please you (yf it be agreable to yor Lo. lyking) to speake unto M^r^. Secretary in my behalfe, that he would stand my indifferent frend. I never gave him any cause of offence in my lyfe: and therfore I hope there is no cause of any other particular man, that shall move him to carrye a hard conceite towards me. And so committing both my self, and my sute, to yor Lo. honorable favoure, and consideration: I beseech god to blesse yor Lo. wth all happines, and to send you many joyfull yeares, to the comfort of yor selfe, and all those that love you, and to make me ever thankfull for all yor Lo. goodnes bestowed uppon me. this xv^th^ of Aprill 1587.

Yo^r^ Lo. faithfull sonne ever at yor commaundment most assured

ARundell.

Addressed: "To the right honorable and my singuler good Lord the Lord Burleigh Lord High Tresorer of England dd."

Endorsed by Burghley: "xv Apll 1587. Erl. Arundell: for to have a better lodging in ye Towr."

5. The Earl of Arundel to [Lord Burghley].

The Tower, 11 May, 1587.

Hatfield House, *Cecil Papers*, xv, 115; *Calendar*, iii, 253; Above p. 158. Holograph, half sheet only.

My speciall good Lord I am loth to trouble yor Lo. often wth my letters, and yet since yor favoure is so greate, and so sundry wayes declared towards me; and I have no other meane to acknowledg how much I am bound, and to showe my thankfull mynd but only by writing, I could not passe over in silence yor lo: most honorable and fatherly dealing towards me, in your late speaches wth hir Ma^ty^ in my behalfe. And as I understand by J. Cornwaleis, that they were as favourable as myself could wishe, so must I acknowledg my self much more bound unto yor Lo. for them (yf it be possible for me to be more, who was before as much bound as any man could be). But what may I saye? or how may I in some sort express yor Lo. goodnes? that not only spake in my behalfe, but undertooke lyke a most naturall father (as I am bound during lyfe to acknowledg you) for my duty and loyalty to hir Ma^ty^, yf I should not showe my thankfull mynde for this yor Lo.

singular goodnes, I were the most ingratefull man that ever lyved. Nay yf I should not ever seeke and study wth ye duty and love of a sonne, to deserve by all meanes possible some part of yor Lo. most honorable favoure, I were unworthy to lyve. And therfore to dissemble wth yor Lo. who hath delt so favourably and fatherly wth me, I knowe were a greate and odiouse offence: neyther would I do it for ye whole worlde I protest; nor yet faile in ye perfourmance of any part of that wch yor Lo. hath promised to hir Ma^ty^ in my behalfe. For being in prison and unable any other wayes to serve hir; hir Ma^ty^ hath and shall god willing contynually have my daily prayers for hir happines and preservation, proceeding from a most loyall and faithfull hart. And if it please hir Ma^ty^ of hir graciouse goodnes to sett my body at lyberty (wch I hope by the mercy of god and yor Lo. most honorable favoure to obtayne) she shall at all tymes have both it and my lyfe redy to be ventured and imployed in any service it shall please hir to commaund. And I would think myselfe most happy, yf I might have therby any opportunity to give hir Ma^ty^ a manyfest testimony and assurance of my faith and loyalty to hir, wch while I live I shall contynue firme constant and unmoveable. And for my conscience, synce it hath pleased hir Ma^ty^ to deale so graciously wth many other of hir subjects in y^t^ behalfe, I cannott but hope to receyve hir most graciouse and favourable toleration: and especially for that in all other services whatsoever no man shalbe found eyther more willing or more redy then my selfe to showe his most loyall hart and affectionate duty towards hir Ma^ty^. And thus commending both my self and my cause to yor lo. fatherly protection and favourable consideracion, I beseech god that you may find in heaven, all ye goodnes you have bestowed uppon me on earth; and that he will wth many happy yeares both blesse and contynue yor most honorable estate. This xith of Maye 1587.

Yo^r^ lo. faithfull sonne ever at yor commaundement most assured.

ARundell.

6. The Earl of Arundel to Lord Burghley.

The Tower, 29 June, 1587.

Hatfield House, *Cecil Papers*, clxv, 80; *Calendar* iii, 266; Above p. 159. Holograph. 1 p.

My speciall good lord. Wheras I understand by William Dix, y^t^ Sir Walter Mildmaies kinsman was a suter to yor Lo. for certayne woods aboute Framlingham castle, and y^t^ it pleased you of yor honorable favoure towards me to make staye therof. As I am most bound to yeld yor Lo. humble thankes for yor greate goodnes in this behalfe, so am I bould to advertise yor Lo. that I am very willing (yf it may be wth yor good pleasure) that he should go through for twoo of the same. And forasmuch as there be certayne other woods adjoyning so neere both to my house at Keninghall and Norw^ch^, as I cannott well forbeare them, and wil be shortly sued for (as I feare) by some others; I am humbly to beseech yor lo. yt it would please you so farre to extend yor favoure towards me, that I might have in lease ye preferment of them. I have understood from my lo. Admirall yt the Quene remayneth in that graciouse disposition towards me wherein yor lo. did both settle

and leave hir at Nonsuch : and my lo. of Lester (yf he wanted tyme or forgott to further my sute) hath no will (as I hope) in respect of his promise, and less opportunity (I am sure) by reason of his absence to hinder me, then he hath had hertofore. Wherfore althoug I am loth to trouble yor lo. wth many sutes (who hath allwayes bene as redy to do me good as I could be forward to desire) yet since ye hope of all my good dependeth principally uppon yor lo. favoure, and ye length of mine imprisonment together wth ye daily weakning of my body, and appairing of my helth, will shortly put me in daunger of my lyfe (wch is in this world my greatest good of all) I humbly beseeche yor lo. to move hir Ma^{ty} for my lyberty, and y^{t} it will please hir to take compassion of y^{t} miserable and wretched lyfe, wherin I have now twoo yeares and a quarter remained. And so beseeching god to bless yor lo. wth all honor and happines, and to give me grace ever while I lyve to acknowledg wth all duty and thankfullnes yor lo. fatherly care of me, and singular goodnes allwayes bestowed uppon me, I will not farther trouble yor lo. this blessed festivall daye of St. Peter and St. Paule 1587.

Yo^{r} lo. faithfull sonne ever at yor commaundment most assured.

ARundell.

Addressed : " To the right honorable and my singular good lord ye lord Burleigh lord high Tresorer of England. dd."

Endorsed : " 29 June 1587. E. of Arundell to my L."

7. The Earl of Arundel to Lord Burghley.

The Tower, 21 July, 1587.

Hatfield House, *Cecil Papers*, xvi. 11 ; *Calendar* iii, 268, above p. 161. Holograph. 1 p.

My speciall good lord : I have just cause to think my self very unhappy that after all theise miseries wch I have indured twoo yeares and now almost a halfe : I can by no meanes obtaine hir Ma^{tyes} favoure to be released of this miserable imprisonment. But as in all my distresses next unto god, yor lo. most fatherly dealing and honorable favoure is my greatest comfort : So can I not tell whyther to flye for refuge but unto your lo., wthout whose goodnes from tyme to tyme I know my greate miseries would be farre greater, and my most wretched estate more wretched (if it may be) then it is at this present.

Wherfore I am humbly to besech your lo. to move hir Ma^{ty} that I may have ye liberty of ye Tower, and access of my wyfe and children unto me. Of this sute, my good lord, I can have no doute ; and therefore am the boulder to trouble yor lo. therwith : for I cannot think that hir Ma^{ty} will denye this unto me ; having bene long since punished for my faulte, and ever a most true and loyall subject unto hir : wch was never yet denyed to those that have bene convicted of high treason, after that it pleased hir Ma^{ty} to extend hir favoure for ye saving of theire lyves. The lyberty of the tower I desire for avoyding ye present and imminent daunger of my lyfe. For ye access of my wyfe and children unto me ; as I am bound in duty unto god, and by the lawe of nature to desire : So do I assure my self that I shall have this common and ordinary favoure allowed, wch even by ye band of christianity I

may looke to obtayne, and which hir Ma^{ty} or hir predecessors have seldome or never denyed to any of theire poore christian subjects.

For a conclusion, my good lord, I humbly besech you yt when it shall seame best unto your lo. I may receive an answere in this behalfe: and for myne owne part I know that eyther god will put it in hir Ma^{tyes} minde to graunte me that wch I sue for, or els to do that wch shalbe more profitable for me. And thus recommending my self and my sute to yor lo. honorable favoure: and humbly praying you to take some order in that peticion wch this bearer shall exhibite unto yor lo. in my behalfe (wthout wch I shall have nothing left to mayntayne my self, my wyfe, and my children) I beseech god ever to bless yor lo. wth all honor and happines, and give me grace to acknowledg wth all love, duty and thankfullnes while I lyve yor sundry and infinite favoures bestowed uppon me: and so will at this tyme cease farther to trouble you. this xxj^{ty} of July 1587.

Yo^{r} lo. faithfull sonne ever at yor coñaundment most assured

ARundell.

Addressed: "To the right honorable and my singular good lord ye lord Burleigh Lord high Tresorer of England. dd."

Endorsed: "21 July 1587. E. of Arondell to my L.

8. The Will of Philip, Earl of Arundel.

The Tower, 12 June and 1 July, 1588.

Norfolk House, "Howard Papers" iii. Two copies both on paper bearing the mark A.R. under a crown, *i.e.*, Queen Anne. Both are well and very carefully written, but that which is less copper-plate is the more trustworthy. Its scribe, for instance, copies the earl's signature with perfect accuracy, even as to flourishes, and the second capital letter which the more mechanical clerk does not attempt. He also sketches the seal in pen and ink. Though the original will appears to be now lost, there can be no question that we have here a minutely accurate copy, with an occasional copyist error perhaps, but on the whole faithful even to the spelling of the original. That original was all one paragraph, with little punctuation. The editor has inserted paragraphs, &c., freely.

The collection of "Howard Papers" was purchased by the late Duke 31 July, 1888, for £25, at Christie's. It was lot 33, in the sale of the Norris MSS collections. The papers probably went out of Howard custody about the time of the break up of old Arundel House (*i.e.*, about 1700). At the end will be found the note "Ex autogr inter cartas Henrici Ducis Norff 1699." This note is repeated on some other of the Norfolk deeds below.

The Will begins with a most earnest confession of the "auncient, Catholique and Apostolick Church," and then comes a brief statement as to the present tenure of the Howard property. Owing to the circumstances, this is left purposely in somewhat general terms. It depended on a certain conveyance of property made by the fourth Duke, which was now being imitated by his son. As to the Duke's act, *The Life* says (p. 72) that he "made such a kind of conveyance of the greatest part of his estate, that it could not be forfeited by the attainder, as *de facto* it was not by his own, but all came safely to his son." The will tells us that William Dix was feoffee to the Duke, and it seems as if he held the whole estate. Then "at the special request of me the said Earl" he made a lease passing on property (no details as to date, as to what lands were let) to five lessees for the space of 60 years, if any of the brothers Philip, Thomas, or William live so long. The present state of the

Howard property therefore is, that all is, broadly speaking, held for the life time of the three Howard brothers by five lessees; and the Will, from the introduction to the conclusion, is reminder to them that they are trustees, as well as lessees.

Of course it will occur to everyone that the combination of lessee with trustee is anomalous. It was contested at the time, as we have seen at p. 303, in a letter from the Earl to Lord Burghley on the subject, in which he not only feels sure of his ground, but thinks that the Lord Treasurer was also of his opinion. *The Life* further tells us that the Earl did not always manage to retain property thus held. "Some that knew the particulars of his estate, as having been employed in his affairs, did treacherously discover all that they could to his detriment, and prosecuted the suit in the Queen's behalf, and a good part of his lands were thereby lost" (p. 72). Again at p. 113, it mentions that Nicholas Raynberd brought "sundry suits in the Exchequer for the overthrow of the Earl's Estate." Father Garnet's comments p. 301, turn on different points; but the deed of gift mentioned at p. 38 (where some other references will be found) illustrates the same state of things, and the other Norfolk House deeds, to be mentioned below, deal with the same subject, though in a disconnected way.

That the will was not wholly unknown is shown by the Life of Dr. Atteslow (*D.N.B.*), where the clause leaving him a pension is alluded to. Otherwise the document seems to have been kept private; nor should this seem strange, for Philip's attainder came next year, and the confiscation of his property. This made it imperative to keep as remote from notice as possible, any means that might be taken for the preservation of the family estate. The vigorous confession of Catholicism would have made the will an irritant in the English courts. Nor was the policy, which inspired it, altogether effective. Thomas, his son and heir, was restored to his title by King James; but had to redeem the great part of the estates from the rapacious hands of the king and his favourites, into which they had passed.

For us, however, perhaps the most important point of all is the date of its signature, and the inference to be deduced from it. According to the prosecution (p. 205, §5) the Earl was engaged, since "about Whitsuntide," *i.e.*, 26 May, 1588, in propherying a restoration of the faith in England; and of course by Spanish arms. The Catholic witnesses (as for instance, Father Garnet *above*, p. 300) say that what predominated was fear of the threatened massacre (pp. 215, 339).

Yet what can be clearer from this document, dated 12 June to 1 July, than that the Earl was then most seriously considering the danger of death, and that in a confidential document intended for his dearest friends, he foresaw and spoke of nothing but the continuation of the era of persecution.

Analysis.—Introduction—A. Protest of Catholicity; B. Tenure of the Howard Estate. Dyx, who was feoffee for it to the late Duke Thomas, has made a lease for it to five lessees (Carroll, Holdiche, Godfrey, Holland, Keper) for 60 years or less, if none of the Howard brothers live so long. Though the lease is absolute in form, it is really a trust, and fidelity to the trust is insisted upon.

Directions:—(i) After his death Castle Rising is to be sold; (ii) inventories are to be made of all goods; (iii) and the lessees are to gather up every penny.

The fund thus raised is to be employed for—1. An annual portion to pay off debts. 2. and 5. My sister's dowry. 3. £3,000 to my executors. 4. £2,000 for my daughter at marriage. 6. The lease of Earl Soham to go to Dr. Ateslow for 21 years.

7. Household stuff is to go to my wife. 8. Kenninghall is to be a repository for my son, when he comes of age. 9. My debts are to be booked, those to my wife are to be paid soon. 10. The recovery against Lord Lumley is not to be pressed. 11. All whom I or my Father have injured, are to be satisfied. 12. Evidences

are to be collected in Kenninghall closet; debts and revenues to be surveyed and booked.

13. No lessee should resign; but if all die save one, he is to resign to the executors. 14. The executors are Lord William Howard and Robert Sackville. 15. Lessees to return yearly accounts to executors. 16. Lawsuits are to be brought to a quiet end. 17. £20 to be given to the poor of London, £20 to Dr. Martin.

18. If any lessee makes over his interest to Dyx or Townshend this Will is to apply to them also. 19. Dyx is to sell Alesbourne, to pay off debts. 20. *Legacies* to wife, sister, sister-in-law Elizabeth, Lord Thomas brother, Uncle Henry, L. C. J. Christopher Wray, Serjeant Gawdie, Roger Townshend, Dyx, Godfrey, Edward Cooke, Sidrach Vere, servant, Thomas Rookwood, Richard Radcliffe, Burlacy, Buxton.

Codicil.—By indenture, dated 20 June, I gave a 21 year lease to Townshend, Dyx, Holland, Cornwallis, Keper, for certain manors. This is also on trust and the Will is to apply to them.

In nomine patris et filii et spiritus Sancti, Amen. I, Philippe Erle of Arundell, being a member of the trewe, auncient Catholique and Apostolick Church &c. of sound and perfect memorie do make my last will and testament as followeth. I bequeath my soule into the handes of the most gloriouse and inseparable Trinitie, one trewe Almightie and everlasting God, and my bodie to be buried in such place as my executors shall appoynt.

Whereas William Dyx, ffeofee to my late singular good lord and father Thomas Duke of Norff, at the speciall request of me the said Erle hath made an absolute lease by Indenture of such Manors, landes, Tenements heredytaments as he stood seased of (by force of a Deade of feofment and other conveyaunces and assurances in the lawe from my said late lord and father) to Edward Carrell esquier, John Holdiche esquier, Richard Godfrey esquier, John Holland and John Keper gent for 60 years, if myself my brother Thomas, or my brother William or eny of us do live so long, as by the said Indenture of Lease may more playnelie appeare. Which said Indenture of Lease, albeit it is absolute, yet it is ment and intended and in truth is made to ye persons aforesaid, upon certen good consideracions me the said Erle moving, onelie & merelie upon trust and confidence. And whereas also the said William Dyx hath made an absolute gyfte, graunte, bargaine and sale at the request of me the said Erle (but yet upon trust) to the said fyve Leassees before recyted of all such goodes, Chattells, plate, implements of howsehold, Armor and such lyke as either he stood possessed of by gyft or graunt from my aforesaid late lord and dere father, or otherwyse by gyft or graunt from my self by deede abowte 4 or 5 yeares past made: I do requier and most earnestlie desire the said Leassees and the executors of this my last Will and Testament for the love of God, and for the love and good will that hath byn betwene us whyle I was alive, yea and I charge the said Leassees and the said executors that they see of theire Charitie this my said last Will and Testament and everie parte therof to their uttermost power fulfilled, as they will answere the contrarie at the latter daie before the Tribunall Seate of Jhesus Christe. And that theire be no quareling with wordes or sentences or sufficiencie of lawe in this or that poynt, or misconstruction made of my good intent and meaninge, but that they in avoyding of all Questions ambiguities or doubts that may arise or grow, simplie looke into my trewe meaning

and intent, and see that in everie parte and poynt whatsoever fullie, whollie and absolutelie fullfilled without eny respect whatsoever, as they desire to escape the wrath of God, and to deliver their soules from that Heavie Burthen wherewith I leave them charged afore God if they shall faile in eny parte herein, and discharge my self therof in his sight.

(i) First I will that Immediately after my decease the Manor of Rysing ad Castrum with rights, Members, appertenaunces of the same and all the landes Tenements and hereditaments now accepted, reputed, taken or knowen for or as eny parte parcelle or membre thereof or with the same now used, occupied, demised, or letten to farme, be sould by the said William Dyx, Edward Carrell and John Holland or by the survivor of them, according to my intent, expressed in a deede made to them the said William Dyx, John Holland and Edward Carrell in that behalf, and because the Joynture of Anne Countesse of Arundell, my loving wyffe will be a great hinderaunce in the sale, and so consequently a great impediment to the performaunce of this my last Will, I will the said five Leassees or the two Survivors of them shall make offer of as much yerelie Rent, or rather more, to be assured to my said wyffe duringe her lyffe, as she can eny waie make or raise of the said Manor of Rising, and that they shall assure the same accordinglie, if she will accept the same, and I hartilie desire hir that for my sake, and at my most earnest entreatie, and for the better and redyer performaunce of this my last will, she will be content to relinquishe hir estate and Interest of Joynture in the said manor of Rysing and premisses, and accept in lieu therof the said yerely annuitie aforesaid, which as it shall be without Losse enywaise to hir, so is the assured and undoubted hope I conceave of hir performing my desire in this poynt a great contentment to me being alive, and will be I am sure a great good and quiet to my soule when I shall be dede. Because of this meane I shall the easelier and redilier have my will performed and my debts discharged (which in conscience is no little Burthen) And therefore I even eftsoones desyre hir that, as ever she will do eny thing for me, or of her charitie she wisheth well and is willing to do good to my soule, she will be content to perform my aforesaid desyer.

(ii) Secondlie I will that Immediatelie after my decease all the Inventories of my goods, Chattells, and implements of House, plate jewells, howshold stuff, armor, and such lyke, that at eny tyme were made either in my late lord & fathers, or in my owne tyme be gathered in and delyvered to the aforesaid Leassees. And here I charge and require my loving frend Roger Townshend esquier, and all those that have them or eny interest in them or of eny of them by eny manner of meanes howsoever, or that have had charge of the said Stuffe or have writ, or had in Custody eny of the said Inventories, or know where eny of the said Inventories be, or the said goods aforesaide, that they and everie of them do not onlie convey and assure their said interest in the same and every parte and parcell thereof, but also that they and everie of them do deliver their true knowlege in all the aforesayd poyntes, and everie pece, part and parcell of the said goodes, Chattells, implements of howse, Plate, Jewells, howshold Stuffe, armor and such lyke that eyther they

have, knowe of, or can come by, to the Leassees afore recyted, and that they do not willinglie or wittinglie withold or consent to the witholding of eny peece parte or parcell therof from the Leassees aforesaid, as they desire afore God to be discharged of wilfull thefte and stealing, wherewith otherwise I do leave them, and thinke them burthened.

(iii) THIRDLIE I will that the aforesaid Leassees do nether for one respect nor other willinglie lose one penny in eny parte or parcell of landes, goodes, or whatsoever els that they or eny 2 of the Survivors of them, shall sell or make money of enywaies towards the the (*sic*) performaunce of this my last Will and Testament: but that they or two of the Survivors of them shall sell all without eny respect to the uttermost value, that they can make therof or rayse unto by eny good or lawfull meane. And that immediately after my death they or eny two of the survivors of them seke to make money of all such thinges as they shall thinke fitt and see necessarie to sell towards the performaunce of this my Will with such convenyent expedition as may be with least lost in the sale, and that the money raysed either by the Revenue of land, or by the sale of eny goodes which shall be in their handes or by the sale of the Manor of Rysinge and premises be thus employed.

1] *First* that a yerelie porcion be allotted to the payment of my Creditors and discharge of my late lord and fathers and myn owne debts, and that as I will have all payed with such expedition as the aforesaid Leassees, or two of the survivors of them, can by eny industrie or possible meanes procure, so I will have the porer sort first paied, and especially herein as chief and first of all, withowt eny delaie such money as my late lord and Deere ffather gave to certen pore Townes by his last will, and which hath not byn by my negligence alreadie performed, for which I am hartelie Sourie.

2] *Secondlie* I will that my Sisters mariage money being the some of 3,000$^{l.}$ be payed to hir owt of the money that shall come of the sale of the manor of Rysing with all expedition after my death, and the Sowner for that I have done hir so much injurie in witholding it from hir so long.

3] *Thirdlie* I will that the some of 3,000$^{l.}$ be payed to the handes of my executors within six moneths at the uttermost after my decease. And the remnant of the mony coming of the Sale of the said Manor of Rysinge, over and above the said some of 3,000$^{l.}$ before limited to be paied to my said Sister, to be imployed to y^{e} payment of the said some of 3,000$^{l.}$, which I have before appoynted to be made to my executors. And if so be the money cannot be so quicklie raised, then I will that this want be supplied by selling of goodes, Chattells, leases and what soever els for the payment of the said some within the said tyme. And this I charge the fyve Leassees to see done, and earnestlie desire my executors to call upon the said Leassees to see this performed according to my true intent and meaning as the Cheff and Principall parte of this my last Will and Testament, as they will answeare it before God at the latter daie and discharge themselves of the trust that I have put in them in that behalf.

4] *Fowerthlie* I will that 2,000l. to be paied by the said Leassees to the use of my doughter Elizabeth Howard at the day of hir mariage, so that she marrie with the liking and assent of her mother, my sister Margarite and my executors, as I hope God of his mercie will give hir grace, otherwise but 1,000l. : provided alwaies that if my said doughter Elizabeth shall dye before she come to be maried, that then the said legacy of 2,000l. to hir before bequeathed shall be voyde ; and then I will the said Leassees shall pay the said whole some of 2,000l. to my executors within such convenient nombre of yeres, as they shall provide the same, provided also that if my sonne Thomas Howard Lord Maltravers chaunce to dye before the time of my said doughters Marriage, she then living, then because she shall be otherwyse well enough provided by inherituance of lande, my will is that the said Leassees shall levie and deliver the said 2,000l. : which [they] should have payed to my doughter, to my executors within such convenient nombre of yeres as they can provide the same.

5] *Fiftlie* whereas I am sure there is very sufficient meanes to discharge all this within a few yeares, and will ryse to a greater surplusage betweene this and my sonnes coming of age : my will is that they have especiall and principall care and regard from tyme to tyme to help my deare and loving Sister, the Ladie Margaret Sackvile with such a yearelie portion towards hir mayntenaunce and for the satisfaction of the wrong I did hir in witholding hir mariage mony so long, and in recompense of the tender love and affection which being alyve I did beare her, as the fyve aforesaid Leassees can conveniently spare and shall be thought fit by them or eny two of the Survivors of them with the consent of my executors by whom I would have the said Leassees in this poynt especiallie advised.

6] *Sixtlie* I will that the Lease of Erle Soham* nowe in the tenure of my loving Servaunt John Cornewaleis, & an annuitie of 22l. yerelie both which I have given to Edward Atslowe Doctor of Phesicke (as may appeare by wrytinges in John Kepers Custodie and of the said Leassees) during the space of 21 yeares be suffered to be quietlie in the possession of the said Edward Atslowe for the said tearme and that he be during that tearme trewelie satisfied and contented of the said annuitie, because I have bestowed both on him, as in some part a satisfaction for the long Imprisonment he susteyned, and great charges he was at all that tyme for my cause, and also for the losses he had by that meane in his practise.

7] *Seventhlie* I will that the fyve Leassees doe permit my good and loving wyff to injoy all such howshold stuffe, and other necessary Implements of howse as they convenientlie may leave unsold, and shall be necessarie to serve the use of my said wyffe or to pleasure hir, and that they suffer hir to have the use of the aforesaid goodes during hir lyffe, except the said fyve Leassees or the two survivors of them, either for performaunce of some parte of this my last Will, or for some other necessarie or important cause to me now unknowen, shall be inforced to sell eny parte of the aforesaid goodes within the said tearme.

* In a list of Suffolk manors belonging to Duke Thomas (p. 379) we read "The manor of Erle Soham with the profights [of the courte], xxxi *li.*, vi *s.*, iiij *d*, *ob.*"

Eightlie I will that the said 5 Leassees or the 2 survivors of them Imediately after my decease shall cause all my implements of howshold Stuffe, Plate, Jewells and such lyke, whatsoever or in what place so ever now dispersed (except that which shall be sould or lent as is aforesaid) to be caried to be caried to Keninghale howse, and there kept safelie, and that it be delivered to my sonne at the age of one and twentye yeares, or to my daughter on the day of hir mariage (yf it please God in the mean time to call him) and that a perfect Inventorie be made of the said goodes, Chattells, Implements of howse, plate, Jewells, Howshold Stuffe, Armor and such lyke, wherof one coppie to be left in the handes of the said ffyve Leassees, or the 2 survivors of them, and another with my Executors, and no part to be removed from thence till deliverie thereof be made either to my said sonne or doughter. And if eny of the said goodes, Chattells, implements of howse, Plate, Jewells, howshold Stuffe, armor and such lyke shall be thought to chargeable to be removed to Kenninghale, or more convenient for some good and lawfull respects to remayne where it did before, then I refer the disposition thereof to the consideration of the said fyve Leassees, or the 2 Survivors of them with the assent of my Executors.

Nynthlie I will that all my debts by eny waie or person growing or due to me, be immediately after my decease gathered in by the said fyve Leassees or the 2 Survivors of them, and that whereas diverse somes of Money byn owing to me for land sould of my wyves (which as yet are not paied though it should have been long ago) I will that the said fyve Leassees or the 2 survivors of them after my decease make present request to my sayd wyffe for the payment thereof, which I know my said wyffe will in no wyse refuse to see performed, as well in respect that it is both just and right and a matter in conscience for her to see done, because I gave her other landes in exchange, as also for that of good will to hir I was content freelie to give her the disposicion of hir owne woodes, which otherwise might have byn to me (as is well knowen) no small benefitt and profitt.

Tenthlie, whereas there was a question depending between my Lord Lumly and me, towching the validitie of a Recoverie, my Will is that it be no further at eny time folowed, then shall be thought fitt & warauntable both in law, equitie, and conscience by the said Leassees wth the assent of my executors, by whome I wish them in this poynt to be principallie directed, and the lyke charge I give in this behalf to my sonne or doughter in which of them soever the right or Interest thereof shall happen to rest.

Eleventhlie I will that yf eny person or persones shall come in and can justlie prove eny wrong done unto them, or detriment susteyned by my late lord and father, or myself, or eny acte of ours, that then the said fyve Leassees or the two survivors of them upon the deliberat hearing and full examination of the cause, shall by the assent and advice of my executors, make them such sufficient satisfaction and perfect restitucon to the uttermost farthing, as they shall thincke my late lord and father or my self bound in right, equitie or conscience.

Twelvethlie whereas the evidences lie scattered in sundrie places which concern such landes as the said fyve Leassees have in Lease for 60 yeares as is afore recited, and whereas ye rents in sondrie of those manors be and have byn long deteyned by the Tennaunts and ffarmors to the great prejudice of the inheritaunce of the said Manors, yf it be not in tyme looked into and prevented. And whereas also fewe or none of those Manors be perfectlie surveyed: my will is that presentlie after my decease the said Evidences and all other evidences which do concerne eny other of my Manors or landes which are now scattered in sundrie places, be by the said Leassees collected & laid upp in Kenninghale Clossett, and a perfect Kalendar made of them, and of everie parcell of them, and three Coppies at the least to be made of them of which one to remayne with the Leassees, and an other with my executors, and a thirde to be left in the said Closset there alwaies to remayne, and that no evidence be upon any occasion taken owt, but by bill Indented from the partie that taketh them for the safe delivery of them againe in the said place, and that the Rents deteyned by the Farmers & Tennaunts aforesaid be with all convenient expedition put in sute and recovered, if the law will so permit, and the Manors particularlie surveyed, and a perfect book made thereof by sufficient men, in a reasonable tyme, and that the said book remayne, when it is made in Kenninghale Closset, and be delivered to my sonne at his age of 21 yeres, or to the nexte heire to the said Mannors, if he dye before the said tyme.

Thirtenthlie I will that none of the said fyve Leassees do resigne, assigne or by eny manner of meanes put away their Interest or any parte therof in the said premisses or eny parte or parcell therof to any other person or persons, or take in eny more as long as eny two of them be alyve. And yf it so fall owt as all saving one of them shall die, then my will is that the said Leassee which shall be survivor shall make his Interest in the said Lease over to such as my said Executors shall direct & no other. Provided nevertheless that it shall and may be lawfull for the said 5 Leassees or for the 2 Survivors of them to make sales of the premisses above mentioned, and in such sort as is herin above declared according to the trewe intent and meaning of this my last Will and Testament and not otherwise.

Fowertenthlie I make my very Loving Brother the Lord William Howard, and my very loving Brother in lawe Robert Sackvile Executors of this my last Will and Testament, and do bequeath herebie unto my said Brother William so much stuffe, as is now in his handes, and belongeth to the said fyve Leassees, and a Basson and Ewer of the value of 50^l^: and to my said good Brother in lawe Robte Sackvile, a Basson and Ewer of the value of 50^li^.

Fyftenthlie I will that the said fyve Leassees and the 2 Survivors of them do make yerelie a perfect account for charge and discharge to my said executors, of all the Sommes of Money, which they shall receave or pay by any meanes, and that my said Executors see a perfect Booke made thereof, and that the same bookes from tyme to tyme do remaine in Kenninghale Closet and there be safelie kept.

Sixtenthlie whereas there be diverse questions in lawe depending, touching the inheritaunces and Leases afore recyted with sundrie persons, as with Sr Edward Clere* Hygate and the Tenaunts of Holleslay: my will is that the said fyve Leassees do by all possible meanes endeavour to bring them to some reasonable and quiet end (if it may be without eny prejudice) for avoyding further charges and troble. And for that my loving frind Robert Buxton is best acquainted with the state of such matters as yet depend in question between me and the said Sr Edward Clere, Therefore I hartelie desire, and earnestlie require hym, that he will from time to time, as occasion shall be offered ayde, assist and further the said Leassees with his travel, knowledge, and good advice therin.

Sevententhlie I will that the some of 20^l^ be distributed among the lame and impotent pore of London within 3 moneths after my decease, and the some of 20^l^ given to Doctor Martyn, Doctor in Phesicke as of my guyfte in Legacy.

Eightentlie yf it shall so happen that the said fyve Leassees do make over eny parte of ther Interest to Roger Towneshend Esquyer and William Dyx for 50 yeres, if they or either of them so long lyve, to the end that certen debts for which they stand bounden, may be discharged: then I will that the said Leassees and everie of them during that time be clerelie discharged of and from the performance of this my last Will and Testament, and that then the said Roger Towneshend and William Dyx, during the time that the Interest thereof shall be in them, do in all respects see this my last Will performed and fullfilled to their uttermost power, and doe take everie Word and Sentence in this said Will, that is spoken to the said Leassees, to be spoken to the said Sr Roger Towneshend and William Dyx during the tearme that the said Interest thereof shall rest in their handes.

Nyntenthlie, whereas the said William Dyx nowe at this present by vertue of Letters patents from hir Majesties and by force of other conveyaunces from myself, standeth seased in his demeasne as of fee emongst other thynges of and in the moytie of the manor of Alesborne in the Countie of Suff, and of and in 90 acres of Landes called escheat landes in Mershland in the Countie of Norff, and of and in the Rectorie or personage of Sustede in the Countie of Norff, and of and in the scite and demeasnes of the manor of Howndeane with the Wallandes in the Countie of Sussex, but yet in truth onlie upon trust and confidence to the use of me and my heires, I wish and my earnest desire is that the said moyty of the Manor of Alesborne 90 acres of escheat Landes Rectorie or parsonage of Sustede, and the scite and demesnes of the manor of Howndeane with the Wallandes with all and singular their appurtenaunces, be sold after my decease towards the payment of my debts and performaunce of this my last Will and Testament by the said Leassees or by the two survivors of them and by the said William Dyx if he be then living, and if he be then dede, then by the heires and assignes of the said William Dyx, and the said Leassees and the two Survivors of them. And forthat my will in this behalf cannot be

* In the other transcript, the name is written—Sr Edward [George *interlined*] Clere Hygate.

performed onless the said William Dyx his heires or assignes do joine in the sale aforesaid, I therefore most heartily and earnestlie desire and require the said William Dyx to take such good order in his lyfe time, as that this my last Will and Testament may be effectuallie observed and performed.

Twentethlie I will that these legacies be given as tokens of my good will. first to my verie loving Wyffe one crosse of gold set with diamondes of the value of 100 markes. And to my loving sister the Lady Margarite Sackvile one cross of gould set with diamonds of the value of 40[l] : and to my good Sister in lawe the lady Elizabeth Howard one cross of gould set with diamondes of the value of 30[l]. To my verie loving brother, the Lord Thomas Howard one fare standing Cuppe doble gilt of 40 ounces. To mine Uncle Henrie Howard one Bolle with a cover of 40 ounces doble gilt. To S[r] Xpofer Wrey Knight, lord Cheffe Justice of England one fair Bolle with a cover of 30 ounces doble gilt, and to Mr Serjent Gawdie, Roger Tounshend, William Dyx and Mr Richard Godfrey the lyke. To Mr Edward Cooke one fare salt of 20 ounces. And furthermore I will that they make such a yearlie consideracõn to my loving Servant Sidracke Vere for his Mayntenaunce till he come to possesse either the keping of the great parke at Arundell, or the Old parke at Keninghale, whereof he hath a patent in reversion of my guyft, as the said fyve Leassees with the assent of my said executors shall thinke convenient and mete. And moreover that they allow such a yerelie mauntenance to Thomas Rookewode my Servaunt, and to Richard Radcliffe, who (although he be servant to William Dyx) hath in many thinges served me most paynefullie and faithfullie : And make such consideracõn to such other of my servaunts as shall fall in want and Povertie or be unprovided by reason of my decease, as shall be thought fitt by the said fyve Leassees with the advice and assent of my said Executors. And whereas Nicolas Burlacie my late servaunt hath susteyned great troble and imprisonment for me : my Will and especial request is that the said five Leassees with the assent & consent of my said Executors make such consideracõn to the said Nicolas Burlacie as to them shall seme convenyent and mete. And yf upon the discharge of all the thynges specified before in this my Will, there shall yet notwithstanding aryse a surplusage betwene that tyme and the tyme that my sonne Thomas shall come to the age of 21 yeres, Then I will that from the time that the contents of this my said will be performed, till the tyme of my said sonnes coming to the age of 21 yeres, there be out of the said Surplusage such a yearlie porcion delivered to the handes of my said Executors, as my said Executors, upon conference with the said Leassees, and upon viewing of the said Surplusage, shall thinke mete and conveniente. And I give to my loving frend Robert Buxton one pece of Plate of 20 ounces.

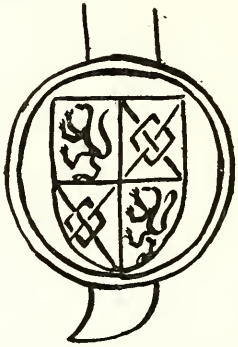
And in Witness that this is my last Will and Testament, I, Phillippe, Erle of Arundell have hereunto set my hand and seale, the Twelveth daie of June in the yere of our Lord God 1588, and in the 30th yere of the reigne of our Soveraigne Ladie Elizabeth by the

grace of God Quene of England, Fraunce and Ireland, Defender of the ffeith &c.

Signed and sealed in the presence of us as the last Will and Testament of the said Erle of Arundell
C. Atherton
William Dyx
Richard Radcliffe

Memorandum that the Rasure in the 4th clause, & Roger Touneshend in the 20th were done before y^e^ signing & sealing hereof

ARundell



The pen and ink sketch of the seal.

The following quotations from J. E. Doyle, *The Official Baronage of England* (1886), will explain why there is no Howard quartering in this coat, p. 84—"Philip Howard, succeeded (*jure matris*) as Earl of ARUNDEL, Feb. 24, 1580; assumed the arms of FITZ-ALAN only, 28 May, 1580; restored in blood March 18, 1581." That is he assumed the arms of Fitz-Alan from his mother: it was the act of 1604 which restored the suppressed paternal earldoms and other dignities. The blazons are thus described on p. 88—"Gules, a lion rampant or (FITZ-ALAN); sable a fret or (MALTRAVERS)."

In nomine patris et filij et Spiritus sancti Amen. I, Philippe Erle of Arundell have caused this codicill to be made and written and to be annexed to this my last Will the first daie of Julie in the 30th yere of the reigne of our Soveraigne lady Elizabeth by the grace of God Quene of England, Fraunce and Ireland, defender of the ffeith &c., which my full intent and meaning is, shall be adjudged, demed and taken as parte and parcell of my said last Will to all purposes and intents herafter in the said Codicill mencioned. That is to say, whereas since the making of my said last Will, by indenture bearing date the 20th daie of June in the said 30th yere of hir Majesties reigne, I did demise and let unto Roger Towneshend, William Dyx, John Holland, John Cornewallis and John Keper diverse and sundrie of my Manors, Lands, tenements, Hereditaments with their appurtenaunces mencioned in the said indenture, but omitted out of my said last will, To have and to hold, to the said Roger Towneshend, William Dyx, John Holland, John Cornewallis, and John Keper their executors and assignes from the feast of the annunciation of our blessed Ladie St Marie ye Virgin last past unto the end and tearmination of 21 yeres, as by the said Indenture may more plainlie appeare. Which said indenture of Lease, albeit it is absolute, yet is it ment & intended, & in truth it is made unto the persons abovesaid upon certain good consideracions me the said Erle moving, onlie and merelie upon trust and confidence, I will

and do earnestly charge and requier the said Roger Towneshend, William Dyx, John Holland, John Cornwallis, John Keper and everie of them and the two survivors of them that they shall from tyme to tyme imploye and bestowe the yerelie issues, revenues and profitts of my said Mannors, lands, tenements, heredytaments to them demised as is aforesaid, in and aboute and towards the execution and performaunce of my said last Will and Testament, and I further will that the said Roger Toweshend William Dyx, John Holland, John Cornwallis and John Keper and the two survivors of them shall stand and be chargeable and accomptable from tyme to tyme during the said tearme to such persons as are mencioned in my last Will for and concerning all such yerelie yssues, revenues and profitts as they or the two survivors of them shall at eny tyme during the said tearme receave, perceave, or take of the said demised premisses in such sort, maner, and forme and to all intents constructions and purposes as my former Leassees or the two survivors of them mencioned in my said Will are or ought to be by force and vertue of my said last Will, or eny clause, article or sentence therein conteyned chargeable or accomptable for or concerning the Manors, Lands, Tenements and Hereditaments mencioned in my said last Will to my said former Leassees demysed upon like trust and confidence. And furthermore I will that the said Roger Towneshend, William Dyx, John Holland, John Cornewaleis and John Keper or the two Survivors of them owte of the yssues, revenues and profits of the Manors lands tenements heredytaments with their appurtenaunces to them demised as is aforesaid shall pay to the executors of my said last will within three moneths at the uttermost after my decease the somme of 60[l]: and in witness that this present codicill hereunto annexed is parcell of my said last Will, I have therunto set my Seale at armes and signed the same with myne owne hand, wryting the day and yere first above in this said Codicill mencioned.

ARundell

Signed and sealed in the presence of us, as in the last Will and Testament of the said Erle of Arundell,
C. Atherton,
Ric. Radcliffe, John Hamond.

Pen and ink sketch of arms as before.

In Another hand.—Ex autogr inter cartas Henr Ducis Norff 1699.

9. Estate Records at Norfolk House.

In the same series of "Howard Papers," there are other documents regarding the Howard estates at this period, a list of which will be useful.

1) In Packet ii referring to Duke Thomas, there are several deeds in which he styles himself, in 1562, 1569 and 1570, as "The Right honourable and most noble Prynce, Thomas Duke of Norfolk, Erle Marshall of England." This style has been maintained, and would be used even now, should an appropriate occasion occur. (*See* The Peerages.)

At the end of this packet are papers relating to the estate during the attainder of the Duke, and during that of his son Philip. One of these gives lists of manors, 1] those enfeoffed to Sir Thomas Cornwallis and others, and then let to Dix and others for the lifetime of Earl Philip, &c. 2] those enfeoffed to Lord Pembroke, Lord Burghley and others for 15 years—in order to pay

the Duke's debts. They then returned to Earl Philip, and were escheated to the crown by virtue of Philip's attainder, &c. This seems like a crown view of the tenure of the property, from about 1573 to 1595.

Among the *Miscellaneous Papers* there is one headed "Landes of the Earl of Arundel," rightly assigned to 1589. It gives a list of manors, and shows what claims against them were being made by the crown.

There is also a *modern copy* from the Record Office, of the full list of lands escheated from Earl Philip in Sussex, Middlesex, Northumberland, and Durham, from—Exchequer, Special Commissions, 31 Eliz. 7152; also 1750 B, and ibid, membrane iij. Also *Exchequer Miscell.*, vol. 45; with many details about Arundel House, Arundel Castle and the Charterhouse.

2) Returning now to Packet iii, relating to Earl Philip and Lady Anne, we find 14 other deeds, all copies, and sometimes three or four copies, whole or partial of the same deed. The greater number relate to the transfer of Howard properties between the Howards, the feoffees, and the lessees. It is plain, however, that the series is very incomplete; and only explains itself imperfectly. They are

i., 4 October, 1581, 4 copies whole or partial. Indenture for the transfer of certain lands from Townshend, Cutts and others to the Earl, and Dix.

ii., 17 April, 1583, Letters patent devised to William Dix, Cantrell and others for lands at Hanworth, &c.

iii., 27 June, 1584, Indenture for sale of land, by Earl Philip, Lady Anne and William Dix, to Townshend.

iv., 1 February, 1586. Whereas the Earl of Arundel, Lady Anne, with Lord William and Lady Elizabeth, by deed indented 1 October, 1584, gave to William Dix and William Cantrell the advowson of the parish church of Wemme in Shropshire; and Cantrell has since died: William Dix gives back the advowson.

v., 20 May, 1588. Declaration that Carrell, Holdyke, &c., are to hold without danger from former gifts; freely, fully, &c., &c.

vi., ? 1589, Indenture of grant by Godfrey, Holland, Keper to Townshend, Dix, &c., of the remaining term of the grant made by Duke Thomas for Kenninghall and other premises.

vii., 7 February, 1589. Indenture between Godfrey, Holland, Keper on the one side and Townshend, Dix on the other; Giving security for tenure of lands.

There are four deeds concerning Lady Anne.

i., 1584. Lands conveyed by the Earl and Dix to the Countess for her jointure.

ii., 4 August, 1599. Indenture between the Right Hon. Anne, Countess of Arundel, late wife to the Rt. Hon. Philip, &c., on the one part, and George Shirley, John Cornwallys, Robert Cansfield on the other part. Witnesseth that the countess, for consideration of money, sells certain lands in Northampton, Norfolk, Suffolk, &c., for ever.

iii. 1 June, 1602. Indenture between Anne, Countess of Arundel, and Sir John Carrell on the one part, George Shirley, John Cornwallys, Robert Cansfield on the other. Witnesseth that she wishing to raise money and make a settlement, gives lands on trust only for 50 years, to pay for annuities, gifts, &c., which she shall appoint by schedule deed or will.

iv., 9 May, 1611. Settlement made by Lady Anne. The grandchildren mentioned are James Lord Maltravers, Henry Fredrick, Gilbert.

There are two deeds for Luke Bateman.

i., 20 Sept., 1582. Promise to him of a pension of 6*l.* 13*s.* 8*d.*, with particulars who was to pay it, and when.

ii., 20 July, 1584. Grant of office of Tennis-court keeper at Howard House, commonly called the Charterhouse.

The following deed gives the feudal offices of several of the Earl's retainers, who have often been mentioned in these pages.

11 June, 1583. The Earl Philip and Lady Anne appoint Sir Gilbert Gerrard, Knight, and Master of the Rolls; Henry Townshend; Roger Townshend; Edward Carrell; William Dyx, my auditor; Robert Buxton, Surveyor General of my possessions in Norfolk and Suffolk; Laurence Bannastre, steward of the manors of Weane, &c.; William Necton, my Receiver General; Robert Whitneye and William Grene my servants—to be commissioners to survey and report on the tenures of all tenants, lessees &c., &c.

In Box A is preserved the following anonymous note on modern English gilt-edged paper, in a handwriting of about 1820 to 1860 (watermark a horn over the initials, S.A.)

When Philip Earl of Arundel was sent to the Tower by Q. Eliz. the following was sent to him in a note, which was detained by Lord Burleigh, and may now be seen among his papers in the Lansdowne MSS.—British Museum.

L. & C.

Non semper inter duos †latrones pendebit Christus
Resurget aliquando crucifixa veritas

Marginal note †Luther & Calvin.

The implied meaning is that, when Earl Philip was sent to the Tower, a sympathiser sent him a mediaeval Latin epigram prophesying the collapse of Luther and Calvin, that is of Protestantism, and that this fell into Lord Burghley's hands.

But the discerning reader will be struck at once by the extravagant parody of mediaeval Latin verse which the epigram offers. It is altogether too gross to impose on any latinist. Another suspicious circumstance is the blank reference to the Lansdowne MSS. So far is the epigram from being there obvious to the eye, that the catalogue, a good one, gives no reference whatever to it under any of the names mentioned: and though all available references to Earl Philip in this source have been carefully copied, nothing of this sort has been found. The possibility therefore of its being a hoax must not be lost sight of. It may conceivably have been occasioned by the publication of *The Life* of the Earl in 1858.

10. The Earl of Arundel to Lord Burghley.

The Tower, 7 June, 1589.

Hatfield House, *Cecil Papers*, xviii, 16, *Calendar*, iii, 414, above, p. 303. Holograph, 2 pp.

My singular good lord, I receyved notyce by my cosen Brunkard how hir Ma^{ty} had graunted me both accesse of my officers at convenient tymes in his presence; and also leave to walke wth him for taking of the ayre eyther privately in ye garden, or in such roomes as he shold think fitt and meetest. And as I must needes acknowledge it for a most graciouse favoure at hir Ma^{tyes} hande, & to be my most comfort, not in regard of my lyberty or helth, but in respect y^{t} it is an argument of hir ffavoure (wch I do above all erthly things desire). And as I am no wayes able in this present estate of myne, to expresse ye thankfullnes of my most dutyfull and ffaithfull harte for ye same; but by my humble prayers unto Almighty God for hir Ma^{tyes} ffelicyty, & y^{t} it wyll please him to save & blesse hir (wch whyle I lyve shall never

be omytted); so considering ye condytion wherein I now stand, I am sure so greate a ffavoure could never have bene obtayned but by one of y^t honorable place & credytt wth hir Ma^ty in wch yor lo. is; & wold never have bene attempted but by such an one as had y^t tender & ffatherly care over me, wch you have ever showed. And seing gratuity is ye only recompense I can yeelde, I might seame very unthankfull, & altogether unworthy of so greate benefytts, yf I should overpasse wth sylence this note so worthy the marking: yt I have in my sutes unto yor lo. never bene denyed, & many tymes had more graunted (as in this at this present) then eyther I dyd desire or might presume to expect.

Yesternight Wm Dix was wth me by whome I perceive y^t besides Arundell possessions (wch were my wyfes Joynture) there are other lands fallen unto hir Ma^ty wch were left out of ye ffeoffment; & in ye number therof those lands out of wch were assured both to myne uncle Harry & diverse poore servaunts of myne theire Annuityes. Wherfore as I am in this neere lynck of nature most specially & principally bound to sue for myne uncle; so in this cause of his wch is both very conscionable & pyttyfull; I beseech yor lo. to give me leave once againe humbly to desire you to be a meane unto hir Ma^ty for hir graciouse goodnes to be extended towards him, & also my poore servaunts; whose lamentable estate, w^thout hir Ma^tyes grace & yor Lo^ps most honorable meanes, wyll fynd (as farre as I conceyve by Dixe's speach) but small redresse., Sir Roger Tounsend is so resolute to parte wth nothing more then he shalbe by lawe enforced. I perceive lykewyse by him that there is a clayme pretended by Mr Atturney to ye deede of guift wch I made to him & Sr Roger for ye dischardg of my detts & saving of them from Indemnyty; & y^t Mr Atturney shold grounde this clayme uppon a letter of mine owne, as though I had made it but uppon trust. I protest I cannott remember any such letter, but in what sort soever I wrytte, my meaning was to make a deede of guift to them twoo of all my goods whatsoever; for ye dischardg of my detts, & theire owne Securyty in respect they stood bound in Sundry bonds for me. And yet I cannott denye but y^t I had this farre a trust in them, y^t yf I had bene able to have dischardged them of those bonds wherein they stood bound for me, by sale of land or otherwise before my death; they wold then have resigned it againe unto me: But by any other meane I could never expect it againe: for I ment in lawe to passe it clearly and absolutely unto them; & I intended to make all my goods theirs only, properly, & wholy, to alyen sell or dispose of in such sort as they wold. And truly, yf ye deede came short of my meaning; those have much to answere (as I last wrytt unto yor lo.), whome both they & I dyd trust in this behalfe. Wherfore since many poore credytors rest unsatisfied (as I am enformed by Dix), in respect y^t the Deede doth hange in this suspence; & they by reason herof are stayed from making sale of such things as otherwise they wold, for the contenting of theise poore men; my most humble sute unto yor lo. is, y^t you wyll vouchsafe at yor best pleasure to call for ye Deede & to examyne ye valydyty thereof: And yf it shall in yor grave Judgment appeare so sufficient (as I hope it wyll) that then it wold please yor lo. to give them leave to

proceede in ye sale of such things as they intend ; whereby many poore men shalbe satisfyed, my conscience touching this matter unburdened, and they eased of ye complayntes & exclamatyons of Sundry persons, wherwth both my cosen Brunkard & they are now dayly troubled.

I understand also by Wm Dix both how honorably he finds yor lo. disposed to favoure all my causes and also to sett downe an allowance for ye maintenance of my self & my wyfe and poore children. Surly my good lord I know not what to saye nor what thanks to yeelde : yor ffatherly goodnes is towards me so exceding greate, & I fynd my self so many wayes so deeply bound, ffor first yor lors most honorable & ffatherly protection of my selfe is such, as wthout it I know it could not be wth me as it is : & I both fynd & feele ye frute herof many wayes to my singular comfort ; & more wayes I have just cause to think & beleeve that yor goodnes hath bene in this behalfe extended ; then I do eyther heare or understand. Beside this, yor lo. vouchsafeth (being daily & howerly troubled wth matters of greater waight & importance) to take a most ffavourable care & regard both of all my causes & also of allowance for ye mayntaining of my self & my ffamyly : what any ffather can do more I know not : & I am sure very many wold not do so much. I beseech our lord of his infinite mercy to multiply uppon yor self & yors ; all those comforts & benefytts wch both you have & do from tyme to tyme bestowe uppon one who is as much yor owne in all duty & unmovable affectyon ; as they who are most yor owne by nature. And yf custome breedes an other nature ; I know no reason but why yt duty & affectyon of a sonne, wch I first ought unto yor lo. by ye commaundment of my ffather, and hath bene since daily confirmed and augmented by yor manyfold favoures bestowed on me ; should now be made absolute and turned unto nature by ye contynuall increase of yor singular benefytts and ffatherly goodnes, wch I have styll cause to think in ye greatest measure ; and yet fynd every day greater and greater towards me ; even in this tyme when a ffrend (yf he were not a ffather) wold not deale thus in my behalfe. I humbly beseech yor lo. to think that what yor poore sonne wants ability in words to utter, he indevoures wth all thankfullnes in mynd to conceyve, and yt he is yor owne most dutyfull, bounden, and affectyonate : and so wyll never cease tyll ye last moment to remayne. And thus commytting and commending my self wth all my causes and miserable estate, to yor lo. honorable and ffatherly protectyon and commyseratyon (by wch I find ye last dayly bettered and my self most comforted) I humbly take my leave this vijth of June 1589.

Yor lops ffaithfull sonne in all duty and affectyon tyll ye last moment at yor commaundement most assured.

PHILIPPE HOWARDE.

Addressed : " To ye right honorable and my syngular good lord ye Lord Burghley Lord high Tresorer of England."

Endorsed by Burghley : " 7 Junii 1589. Erl. Arundell out of ye Tower."

11. The Countess of Arundel to Lord Burghley.
7 June, 1589.

Hatfield House, *Cecil Papers*, xviii, 17. *Calendar*, p. 415, above p. 304. Holograph, ½ p.

My very good Lord, though my duty had bene to have wayted uppon your Lordshipp, and in all humble sorte to have discharged the parte of a thankfull mynde; yett considering both your Lo. sicknesse, and former speaches, I thought it better to stay a fitter opportunyty, and in the meane time to supply by writyng that, which I can not performe by woords. I have alwayes found your good Lo. so honorable a frende (or rather father) to my Lord, that both in his and my owne behalfe I have greater cause of thankfulnes to your Lo. then I shall ever be able anye way to dischardge. And especially for this last favour of procuring my poore Lord some enlargment (whome close keping had much decayed) I thinke my selfe so infinitely bound, that I knowe not in what other sorte to geve thankes, but onely by desiring almyghty god to requite your great favours, and to send your good Lordshipp health and all other happynesse. Thus most humbly beseching your good Lo. still to continue your goodness towards my poore L. and to have the desolate estate of his poore wyfe and children in your honorable remembrance I most humbly take my leave, this 7th of June 1589.

Your good Lo. poore frind most unfortunate

Anne Arundell.

Addressed: "To the right Honorable the Lord Burleygh Lord high Treasourer of England and one of hir Majesties most honorable privie Counsell."

Endorsed by Burghley: "7 Junii 1589. The Countess of Arundell."

12. The Earl of Arundel to Lord Burghley.
The Beauchamp Tower, 26 Sept. 1589.

Hatfield House, *Cecil Papers*, clxvi, 147; *Calendar*, iii, 432; above p. 305; Holograph 1½ pp.

My specyall good Lord I understood by my cosen Brunkard yt this proportion of mony wch I weekly receyve; was by yor lops order sett doune to be for ye defrayeng of all my charges whatsoever (my apparrell only excepted). And as I find it by proofe very lardg for ye satisfieng of all my other expenses: so for yt I have dayly neede of some one thing or other touching my apparrell, wch is not fitt to be moved to yor Lo., both in respect ye thinges are but very trifles and it wold breede yor contynuall trouble; I am humbly to beseech yor lo. yt you wold vouchsafe to sett doune such an allowance for ye furnishing of me in this behalfe, as shal be best plesing unto you; and by ye grace of god I wyll so order ye matter according to yt proportion, as I wyll in no sort exceede ye same.

It is sufficient for one sute to be moved at one tyme and contayned in one letter; and yet seing ye sute wch I intend to make wyll seme (I am sure) very reasonable; and I know not where I may be more bould, then wth him to whome I am most bound; it emboldens me to make an other peticion, and humbly to beseech yor lo. yt you wold

be plesed to direct yor warrant for my remove from hence to such other lodging as yor lo. shall think meetest; or otherwise to referre ye choise therof to Mr Cooper as it shall seme in yor wisdome most convenyent, ffor this lodging growes to be very unplesant unto me, both in respect y^{t} it wants all comfort of ye aire, and is for ye most parte of wynter altogether barred from sight of ye sunne; as also for y^{t} I have now lyen here above three quarters of a yeare, and fynd beside other discommodityes wch make me desirouse of a change.

I have no cause to stand in doute of troubling yor lo. wth sutes, bycause I have found sundry benefytts to flowe from ye streme of yor goodnes wth such facilyty towards me; as it might seeme yor lo. tooke as much plesure in bestowing them, as I felt good in receiving them; and yet after twoo sutes at one tyme reason wold rather move me to conclude wth thankes for yor former favoures, then to beginne a third; but bycause this third peticion doth in some sort concerne ye well doing of a poore man (whose lyfe for want of mediation in his behalfe might in a short tyme be indangered) and for y^{t} it is rather ye renewing of a sute alredy graunted then ye beginning of a newe; I am humbly to beseech yor lo. even for gods sake to take compassion uppon ye miserable estate of ye poore man y^{t} attendeth uppon me here, who hath bene wth me in this place three yeare and nere a halfe; and for a whole yeare now wanting very fewe dayes, altogether sequestred from any open ayre. He is lately much broken and inclined to sicknesse and growes every daye worse and weaker then other (as M^{r}. Cooper can wytnesse) He cannott serve me as he hath done; and I having no other to supply his wante, do find many inconvenyences (by reson of his indisposition) in this miserable estate of mine. Mr Secretary hath signified by his letters to M^{r} lyevtenant a month since at ye least y^{t} it was yor lo^{ps} plesure wth ye rest of my llo. of hir Ma^{tyes} honorable privy counsaile y^{t} he shold be released; and y^{t} I shold name whome I wold have in his place. Wheruppon I named Edward Hamlyn, who had bene somtyme my ffootman. Wherfore I humbly beseech yor lo. to take such order as to you shall seme ffittest: for ye unloosing of this man now present wth me, and ye allowing of Edward Hamlyn in his place: who is very well knowne to my lo. Admirall, and was put unto me by my la. of Harford, and wyl be affirmed by them both (I doute not) to be a man of very good behavioure and honest conversation. I trust yor lo. wyll take as a sufficient excuse for ye length of my letter that it was enforced by ye very matters themselves wch it dyd contayne; and I presume so much uppon yor favoure as I assure my self you wyll pardon my troubling of you wth so sundry causes; when yor lo. considers, y^{t} ye state of yor poore sonne gives him small occasion to hope of many frends; and y^{t} in all his myseryes he cannot flye to any frend for refuge better; then to him whome he hath not only found a ffather in name, but even a ffather in deede and affection: and whome he hath not only found carefull for his mayntenance and of his causes, wch is much; but carefull for his helth by lyberty procured, wch is more; and most carefull for ye preservation of his lyfe by effect proved, wch is most of all. And as thankfullnes is the only recompense I can yeeld for all your favoures: so my desire to be thankfull to y^{e}

uttermost during my lyfe shall never cease, and I most happy, when I may most showe my duty, affection and thankfullnes, to ye bestower of all these benefytts. And thus most humbly and ernestly beseeching ye contynuance of yor lo.^ps^ ffatherly goodnes and protectyon of me; and commending myself and most miserable estate to the same (as ye beames from w^ch^I have receyved hertofore singular comfort and have cause dayly to expect and hope for more and more in ye bytter stormes of all these misfortunes) I cease farther to trouble yor lo. and humbly take my leave this xxvj^ty^ of September 1589.

Yo^r^ lo.^ps^ poore sonne at yor commaundment during lyfe most assured

PHILIPPE HOWARDE.

Addressed: "To the right honorable my singular good lord the lord Burleigh lord high Tresorer of England. dd."

Endorsed by Burghley: "26 7^br^ 1589. Erle of Arundell. allowance for apparell, removyng of his lodgyng, Hamlyn to wayt on hym."

13. MISCELLANEOUS REFERENCES.

1) From the Bodleian Library Father P. Ryan has sent me notes which show that the document, referred to above, p. 342, n. 2, as MS. Bodley 966, p. 233, is now called S.C. (= Summary Catalogue) 3,033. The incipit and desinit agree with those of the text S.T. (p. 248). But "the table" is 12 feet square *not* 16 feet; and the final paragraph is omitted. The full title is— "The whole discourse of the/Araignment of Phillip Howard Earle of Arundell/ the 14th daie of Aprill 1589 in the 31th yeare/of the raigne of our Soueraigne Ladie/ Queene Elizabeth."

2) The document, referred to p. 342, 8 above, with press-mark, Bodleian, Miscellanea Wood, F. 32, fol. 92, is a somewhat later copy of the text. O. 1. It omits for instance § 9, and "three" in §6.

3) In the second volume of our *Miscellanea*, C.R.S., ii. 260, a list of prisoners taken 25 September 1586, we read, "Hugh Griffith, committed by the Lords [of the Privy Council] in September 1585, for abuse to the Countess of Arundell." And again further down "Christopher Isham, committed by Mr. Secretary, a great dealer in the Earl of Arundell's cause."

4) In the Catalogue of the Landsdowne MSS. cvi. 35—"Philip Earl of Arundel and Lord William his brother petition to Lord Burghley to annihilate the orders of some vexatious Northern justices."

5) The Buxton MSS., at Shadwell Court, Norf. (Hist. MSS. Com., 1903, *Various Collections* ii, 227), contains correspondence of Robert Buxton, often mentioned above. As he was the receiver for the principal Howard estates, these letters are of importance for the history of the property; and incidentally also for the life of the Earl. In September 1574, Philip and Lady Anne, seem to be at Norwich, the latter having just recovered from "ague." In June, 1576, the Earl grants a lease of £200 to his grandmother Frances (de Vere), daughter of John Earl of Oxford, and widow of Henry, Earl of Surrey, the poet, after whose death she had married Thomas Staynings. She died 30 June of the next year.

Philip's advent at court is probably alluded to in a note from Dyx, saying that "My Lord's charges this year have been great, rising from £7 to £20 per week. We must help as we may," 15 Sept. 1577. The fifteen letters of the Earl show a constant attention to business, frequently illuminated by kindly words and messages in commendation of old servants and retainers, in whose cause he pleads warmly with Buxton, "Remember my charge to use my keepers well." (See also the letter dated "Ling House," 4 Dec.

1577,) Eventually he is very earnest in raising the sum of £4,100, and the editor suggests that this money was for his intended flight. The last letter, Arundel Castle, 20 Dec. [1584], concludes, "I thank you, good Buxton, if you at my desire take some travail advisedly to peruse those books I delivered unto you. I assure you, before God, that in this I wish to you as to myself, and desire with St. Paul that you were as I am." To this the editor pertinently notes, "The Earl was received into the Roman Church in September 1584."

6) I now regret not having printed Bennet's letter, p. 197, from the old but full text, instead of from the shorter but new text: and I should have shown the new text by marking off the passages eliminated. This would have been truer scholarship, and would have brought out the meaning better. The abbreviation prevents our seeing the depths of Bennet's baseness, as clearly as if we had the whole document before us. This letter, joined with those to Waad and to Gerard, show clearly with what distrust and scepticism Bennet's story should be received.

INDEX.

Abarrowe, ——, 134
Abington, Habington, Thomas, 186*, 188*, 189*, 194*, 196, 208, 213, 345*, 353
Acton, Lord, 4*n*
Adams, Ralph, 25; Thos., 25
Addie, Patrick, priest, 132**n*
Agazzari, Alphonso, S.J., 58
Aldegonde, Monsr. d', 168*, 169, 171, 172
Aldred, Aldread, Solomon, spy, 81, 85, 91, 307**n*
Alençon, Duc de, *see* Valois, ——
Alesborne Manor, Suff., 370, 376
Alfield, Aufield, Aufeild, Thomas, priest, martyr, 94**n*; Robert, priest, martyr, 129
Alford, ——, 164
Allen, Wm., Cardinal, 41, 58*, 67, 68*, 70*, 72*, 75, 78, 79*, 82–87 *pass.*, 96, 97*, 113*, 114**n*, 116, 117, 119, 122*, 123, 124*, 125–136*, 138*, 141, 142*, 143, 156*, 167–175* *pass.*, 192–205, 206*, 213, 215*, 219–228 *pass.*, 231*, 235–245* *pass.*, 253–260* *pass.*, 267**n*, 268*, 269*, 270, 275–295 *pass.*, 299*, 301, 339*, 342, 343*, 351, 363
Allison, Robert, 311
Almond, Amon, Roger, *als.* Vavasor, 67
Althorpe, 89*n*
Alva, Duke of, 4*
Ambassadors—
English to France, *see* Stafford
English to Florence, 291
English to Spain, 291
French, *see* Barrillon
French, *see* Castelnau
Spanish, *see* Despes, *see* Mendoza
Amsterdam, 175
Anderson, Edmond, Lord Chief Justice of Common Pleas, 37, 140, 237, 249, 264, 266
Anderton, Christopher, of Lostock, 73*n*; family of Euxton, 73*n*; Laurence, S.J., *als.* John Brereley, priest, 73*n*; Robert, priest, martyr, 73**n*; Thomas, of Chorley, 73; Thomas, S.J., *als.* Barton, 73*n*
Andreas, Vanmetico, 195
Andwarpe, *see* Antwerp
Andwerpen, *see* Antwerp
Anguishe, *see* Angus
Angus, Anguishe, Earl of, *see* Douglas; Edmund, 311
Anjou, Duc d', *see* Valois
Antwerp, Andwerpen, 78, 86, 117**n*, 134, 166 173 *pass.*, 282, 281**n*, 288, 328*, 343, 344
Aprice, *see* Price
Aquaviva, General, S.J., 298
Arden, John, 189**n*, 194, 213; Margt., 132*n*; Mary, 132*n*; family of, 42*n*
Ardent, John, 345, 346
Ardern, Edward, 41, 132*n*; Francis, 132*n*; Robert, 163*
Are, *see* Array
Arington, *see* Errington
Aristotelians, 26
Armada, The, 45, 210, 211, 214–219 *pass.*, 235, 236, 244, 355*
Armagh, Archbp. of, *see* Creaghe
Array, Are, Martin, priest, 91
Artois, Artoys, 80*n*
Artoys, *see* Artois
Arundel, Arundell, Countess of, *see* Howard; family of Wardour, 112*n*; Charles, 28**n*, 29, 34, 40, 46*, 47, 58, 62, 68, 77, 78, 79, 81*, 82*, 83*, 84, 85, 88, 91, 93, Earl of, *see* Fitzalan; Earl of, *see* Howard; Francis, 31**n*; John, 133; Sir John, of Lanherne and Chideock, 112**n*; Sir Matthew, 46**n*, 119; Mistress Millicent, 34**n*; Thomas, 46*n*

Arundel, Sussex, 46*n*, 51, 53, 71, 75, 110, 221, 225, 254; Coast by, 73; Castle, 12, 23, 36, 41, 46*n*, 252, 356, 357, 387; Great Park, 377; Arundel House in London, *see* London
Asheby, Wm., 307
Atherton, C., 378
Atslowe, Atteslow, Harehilo, Edward, M.D., 108*n*, 113, 122, 123*, 124*, 125*, 129, 130**n*, 131, 136, 143, 148, 295, 313, 336*, 344, 349*, 369, 373; Frances, 349
Attorney General, *see* Popham, John
Audley, Lady Margaret, *see* Howard, Margaret; Thomas, Lord Audley of Walden, 349, 350
Audley End, 19*, 20, 27, 349, 350
Aufield, Aufeild, *see* Alfield
Aynho-the-hill, Northants, 42*n*

Babington, Anthony, 39, 70, 73*n*, 76, 116*n*, 145*, 146*, 147*, 148*, 154, 155**n*, 215, 236, 258**n*, 267, 270*n*, 277**n*, 282**n*, 299, 301, 341; his plot, 69, 73*n*, 83*n*, 85, 88**n*, 144, 145, 189*n*, 319, 344, 353; plotters, 289
Bacon, Anthony, 33*n*; Sir Nicholas, Ld. Keeper, 7, 149; *see* Barton, Godfrey
Bagot, Rd., Lord, 302
Bagshawe, Chris., priest, 131**n*, 194
Bailey, Bailiffe, Bayley, Richard, 43*, 44, 46*, 47*, 90**n*, 155, 157, 369 (?); Charles, 356, 357
Bailiffe, *see* Bailey
Baker, Launcelot, 19; ——, of Lynn, 115*n*, 245, 257, 270*n*, 281**n*, 288**n*; ——, of Walton, 123; ——, 125
Baldwin, Thos., 132**n*
Ballard, John, *als.* Fortescue, priest, 78, 95**n*, 145*, 146, 155**n*, 156, 157, 362*, 363, 364
Banks, James, 19
Bannaster, Bannister, ——, 6; Laurence, 381
Barber, *als.* of Transome, Strancham
Barborough, 174
Barker, Chris., printer, 32; of Oxford, 72; William, 4*, 8, 9*
Barkley, Sir Francis, 345, 347, 348
Barn Elms, 116*, 117*
Barnard, Edward, 162
Barnes, Thos., 82, 342
Barnwell, Rbt., conspirator, 277**n*
Barrard, *see* Barton
Barrillon, ——, French Ambassador, 151*n*
Barton, Bacon, Godfrey, 189**n*, 196, 213, 283**n*; his wife, 196
Barton, Barrard, John (*olim* S.J.), 172*; *als.* of Anderton, Thos.
Barwicke, 163
Basing, Hants, 64
Bastille, The, 148
Bateman (? Dateman), John, 279**n*; Luke, 131, 279**n*, 310**n*, 311, 380
Bath, 75
Bath, Bp. of, 1; his house at Temple Bar, 1
Bayley, Bayle, Thos., D.D., 85; *see* Bailey
Beadow, *see* Bedoe
Beale, Robert, 172*, 175, 176*, 177, 199, 206, 210
Beaton, James, Bp. of Glasgow, 123
Beauchamp family, 81*n*
Beazant, *see* Besant
Bedford, Earl of, *see* Russell
Bedgebury, 326
Bedoe, Beadow, Richard, 71*n*, 313, 348*, 349; Wm., 349
Beesley, Geo., priest, martyr, 345 346
Beil, Rd., 39
Bell, James, Prebendary of Wells, 26; Thomas, apostate, 74*n*
Bellamy, Robert, 307**n*; family, 146
Belling, Wm., 329
Belson, Thomas, martyr, 132
Benit, *see* Bennet
Bennet, Benit, Wm., priest, 154, 164, 176–216 *pass.*, 222*, 230, 236, 243, 252, 260, 261**n*, 271, 272**n*, 275, 280*n*, 286, 287, 288, 289, 298*, 353; miscalled "Mark," 247*, 262*; Thomas, 19
Benson, ——, priest, 194
Bentley, 26
Berden, Nicholas, *als.* Roger, spy, 66–78 *pass.*, 88, 89, 91, 92, 93, 116*n*, 120; "Purveyor of Poultry," 70
Bergamo, Bp. of, *see* Ragazzoni
Bernardine, *see* Mendoza
Bertie, Peregrine, Lord Willoughby of Eresby, 250, 265, 274, 284
Besant, Beazant, Mrs. 75
Bickley, Ralph, priest, 89, 90**n*
Bicknell, Thos., 194
Billingesley, Billyngesley, Alderman, 308
Blackwell, George, arch-priest, 74**n*
Blans, ——, skinner, 133
Bletsho, 250, 284
Blithefield, Stafford, 302
"*Bloody Question*," The, 184
Blount, Lady, 348; Sir Michael, Lieut. of the Tower, 310, 314*, 323*, 331*, 332*, 333, 344, 345–346
Bohun, George, 22
Bolt, Bowlt, Eliz., 194

Books :—
Against Jerome Osorius, 26 ; *Bibles*, various, 11–12 ; *Commentatio pro Mildapetti defensione*, 26 ; *Disputation with Campion*, 32 ; *Earl of Northumberland's treasons*, 79 ; *English Protestants' Plea for Priests*, 71 ; *Epitaphe of Edm. Campian*, 33 ; *Leicester's Commonwealth*, 57, 63, 73, 79, 112*n* ; *Mildapetti Admonitio*, 26 ; *Rheims Testament*, 20 ; *Right of Marie, Queen of Scotland*, 73 ; *Treasons of Fcis. Throckmorton*, 79 ; *Treatise of Schism*, 55*n* ; *True Defence of Catholics*, 73
Bootes (? Buttes), ——, 92
Boste, John, priest, martyr, 87**n*
Bourbon, Henri de, 78
Bourne, ——, 286
Bower, Richard, 311
Bowes, Ralph, 22
Bowlt, *see* Bolt
Boxall, Dr., 34*n*
Brabant, 94
Braye, Richard, priest, 239, 240–241 ; Wm., 71, 72, 73*, 74, 75**n*, 69*, 98*n*, 108, 125*, 131
Brereley, *als.* of Anderton, Laurence
Bricknoll, Thos., 208
Bridgeman, Edw., 313
Bridges, Brydges, Edward, *als.*, or *vere* Grateley, Greatland, or Foxley, priest, 67**n*, 79, 80, 83, 84, 87*, 96, 99, 109, 114**n*, 116*n*, 118, 119, 123, 124, 125, 141, 142, 143, 145, 155, 156, 176, 221, 225, 226*, 227, 251, 252, 255, 256**n*, 257, 267, 268, 275, 279**n*, 280*, 281, 284, 285**n*, 286, 343, 362, 363
Bridgettine nuns of Sion, 94**n*
Bridgewater, Jn., 154
Brighton (Brithelmestone), 25
Brill, Oxford, 132*n*, Flanders, 164
Brinkley, Brynkley, Stephen, 68, 85, 88, 91
Briscoe, Bruscoe, Thos., priest, 132**n*
Bristow, Richard, Dr., 277**n*, 290
Brithelmestone, *see* Brighton
Brodell, Jn., 313
Bromley, Sir Thomas, Lord Chancellor, 12, 26, 79*n*, 119*, 120*, 122, 138, 139, 140*, 152
Bronckard, *see* Bronker
Bronker, Bronckard, Brouncher, Brunkard, Henry, 22, 235, 265, 303, 304, 305, 309, 313, 381, 383, 384 ; Wm., 162
Brooke, Wm., Lord Cobham, 139, 172, 250, 265, 274, 284, 343, 345, 346, 347
Brookman, Rd., 346
Broughton, Rd., 299, 302
Brouncker, *see* Bronker
Brown, Richard, spy, 344
Browne, Anthony, Viscount Montague, 25, 45**n*, 331 ; Lady Montague, 45 ; *als. of* Revell, Thomas
Broye, ——, 307*n*
Bruerton, *als.* of Yardley, Roger
Bruges, 172*
Bruin, ——, 168 ; his wife, 168
Brunkard, *see* Bronker
Bruscoe, *see* Briscoe
Brussels, 324
Bryan, Rd., 19
Brydges, *see* Bridges
Brynkeley, *see* Brinkley
Buckhurst, Lord, *see* Sackville.
Buckland, George, 325 ; Richard, 325
Buddinge, Wm., goldsmith, 162–163
Burbage, James, 37*n*
Burchall, Rbt., 310
Burghley, Lord, *see* Cecil, Wm.
Burke, Wm., 19
Burlace, *see* Burlacy
Burlacy, Burlace, Burlacie, Christopher, 98*n*, 108**n*, 111*n*, 131, 155*, 156, 239, 240, 241, 363, 370, 377
Burlacy, 270*n*
Burrow, Edw., 240, 282
Burton, Fcis., 326
Butler, James, Lord of Dunboyne, 307 ; Theobald, Lord Caher, 307 ; Thomas, 10th Earl of Ormonde, 34, 35**n*, 36*, 151*n*, 345
Buttes, Sir Wm., 2*n*, 18 ; *see* Bootes
Buxton, Robert, 36*, 153, 370, 376, 377, 381
Byrd, Wm., " Father of Music," 123

Cadiz, 174
Caer, Lord, *see* Butler
Caher, Lord, *see* Butler, Theobald
Calais, Callys, 72*, 108, 166, 272*n*
Calf, John, 19
Calthorpe family, 176
Calvin and Luther, 381
Calys, *see* Calais
Cambridge University, 21, 27, 350 ; Gonville Caius College, 338, 339 ; St. John's College, 350
Campion, Campyon, Bd. Edmund, S.J., martyr, 32*, 33, 71, 112*n*, 132*n*, 220*. 221, 223*, 224*, 241, 251, 267**n*, 275, 280, 282, 292*, 299, 342, 356
Cansfield, Rob., 380
Canterbury, 341 ; Archbp. of, *see* Parker ; *see* Whitgift
Cantrell, Wm., 311, 380
Carey, Henry, Lord Hunsdon, Lord Chamberlain, 37, 45*, 50, 93, 95, 109, 123, 124, 130, 139, 148, 152*,

153, 184*n*, 192, 193*, 206, 207, 236, 239, 242, 250, 259*, 265, 268, 274, 278, 282*n*, 284, 298, 310, 346*, 347, 351, 364; Sir George, 109.
Carlton, George, 289; *als. of* Sherwood, Rd.
Carmarden, Rd., 11
Carpriony Hamet, 311
Carrell, Roger, 18
Carter, Treamor (? Trevenor), 19
Caryll, Carrell, Edward, 46, 131, 313, 369, 381; Sir John, 380
Casey, ——, 89*n*, 92
Casimir, Duke, 307*n*
Castelnau, Mauvissière de, French Ambassador, 22*, 27, 28*, 34, 41, 42, 47, 56, 80, 81, 110*, 111, 112*n*, 134
Castle Rising, 369
Catena, Girolamo, 335
Catesby, Anne, 45*n*; Sir Wm., 43*n*, 76
Catholiques, Les, 142
Cator, Cornelius, 311
Cecil, Anne, 170*n*; John, 171; Lord Robert, 310, 311; Wm., Lord Burghley, 2, 3, 5, 7*n*, 10, 15*, 16*, 17, 19*, 20, 21, 25, 33, 37, 40, 57, 58, 62, 66, 86, 88*n*, 109, 116, 120, 129, 134, 137, 139, 140*n*, 148, 153*–160 *pass.*, 168–175 *pass.*, 184, 190, 192, 193, 198, 206, 207, 210, 217, 218, 219, 231, 240, 245, 246, 250, 265, 271*n*, 274*, 283, 285*, 301–308 *pass.*, 321, 333, 337, 341, 343, 345, 346*, 347, 352, 357, 359–368, 381–386
Cely, Thomas, 308*
Chaderton, Dr., 21
Chalons, 112
Chambers, ——, 77
Champion, chaplain, 47*
Chancellor, Lord, *see* Bromley, *see* Heath, *see* Hatton
Chaplin, Chapleyn, ——, 18
Charke, William, 32
Charleses, The Two, 77
Charterhouse, *see* London
Chartley, 145
Chester, 74*n*
Chichester, 25, 37*n*, 43, 44, 52*n*, 352, 361; bp. of, *see* Curteys
Chideock, 112*n*
Chorley, 73*n*
Christchurch, 10
Chudleigh, Devon, 94*n*
Church, ——, 262, 286
Clapham, Sussex, 136
Cledro, *see* Clitheroe
Clere, Edward, 2*n*, 7, 312; Sir Henry, 376
Clifford, George, Earl of Cumberland, 78
Clinton, 250, 284
Clitheroe, Cledro, ——, priest, 79
Clonmel, 306, 307
Coates, Cotes, Thos., 19
Cobham, Lord, *see* Brooke; Lady, 149, 150
Colepepper, Sir Alex., 326
Collier, ——, priest, 94
Cologne, 65, 135
Colson, *see* Coulson
Commissioners, The Lords, 8
Como, Cardinal de, 295**n*
Compton, Lady, 89
Cooke, Anthony, 22; Edward, 370, 377; Ralph, 193, 194*, 196
Cooper, ——, 305*, 309, 385; *see* Cowper; John, 162
Coorke, Master, 306, 307
Corbett, ——, 307
Cordell, Sir Wm., Master of the Rolls, 6
Cornelius, ——, 76
Cornelson, 26
Cornwall, 133
Cornwallis, Cornewaleys, John, 18, 153, 370, 378, 379; Mary, 329; Sir Thomas, 6, 377; Wm., 311; ——, 161
Corrie, *see* Curry
Cotes, *see* Coates
Cotesford, Oxford, 163*
Coulson, Colson, Thos., 19
Council, Lords of the, 8
Courtois, Chevalier, 111
Covert, Thomas, 77
Cowleach, Cowleche, Cowledge, —., 194; his wife, 194, 348
Cowleche, *see* Cowleach
Cowledge, *see* Cowleach
Cowper, Cooper, Thomas, bp. of Winchester, 73
Coxe, John, 245, 281*n*, 286
Craighe, *see* Creaghe
Crawghe, Dr., 307
Crayton, *see* Crichton
Creaghe, Craighe, Rd., Martyr Archbp. of Armagh, 132**n*
Creswell, ——, priest, 174
Creyton, *see* Crichton
Crichton, Creton, Crayton, Wm., priest, S.J., 70**n*, 71, 75, 76, 132**n*, 194, 294**n*, 339
Criton, *see* Crichton
Crofte, Sir James, Comptroller, 139, 249, 264
Crokelane, Thos., 18
Cromblehome, Wm., 132*n*
Çubiare, Zubiaur, Sebvro, Seabarrow, Pedro de, 130**n*, 131, 136*, 137*, 212, 240

Cuddon, Thos., 19
Cuckoo, John, 19
Cumberland, Earl of, *see* Clifford
Curdworth, Warwicks., 132*n*
Curry, Corrie, John, S.J., 94, 94*n*, 175, 302*n*
Curteys, Rd., bp. of Chichester, 37**n*, 46*n*, 47, 361
Cutts, 380

Dacre, Dacres, Anne, *see* Howard, Anne; Estates, 312; Elizabeth, *see* Howard, Elizabeth; Francis, 137*, 151; Gregory, Lord, 25; John, Lord, 343; Lady Mary, 18; Lord, of the North, 2; Lords, of the North, 149
Dale, Valentine, Dr., 172*, 249
Daniel, ——, pirate, 26
Dannett, Jn., 338
Danniel, ——, 344
Darbishire, Thos., S.J., priest, 272*n*, 343, 344
Darcy of the North, Sir Francis, 347, 348; Lord John, of the North, 235, 250, 265*, 274, 284
Dateman, *see* Bateman
Daubney, Rbt., 348
Dauye, *see* Davis
Davidge, Wm., 286
Davis, Dauye, William, 131**n*, 132, 176, 189, 190*n*, 193, 194, 195*, 208*, 213
Davison, Wm., secretary, 15, 151, 152, 153
Daye, John, printer, 26; Hugh, 196
Deawe, John, 71*; his wife, 71; ——, 76*
Dell, ——, Laud's secretary, 5
Denbigh, Denbygh, *or* Denham, William, 162
Denbygh, *see* Denbigh
Denham, Bucks, 74*n*; *see* Denbigh, Wm.
Denmark, 164
Denny, Edw., 22
Depe, *see* Dieppe
Derby, Earl of, *see* Stanley
Derbyshire, 75
Dercy, ——, 6
Desmond, Countess of, 346; Tower, Earl of, *see* Fitzgerald
Despes, Don Gerreau, Spanish Ambassador, 4
Deventer, 167
Devereux, Robert, Earl of Essex, 138
Dieppe (Depe), 72
Digby, Sir Everard, 26, 345; John, 345*; *see* Dixon, Edward
Dillon, Capt. Sir Tibbot, 345, 347, 348
Dix, Dyx (Vyxe), 6; William, 6, 36*, 38*, 39*, 115**n*, 131, 153*, 159, 303, 304, 321, 366, 368–381; "Auditor," 381
Dixon, Digby, Edward, 163**n*, 189**n*, 195, 213, 244, 272*, 286; ——, goldsmith, 163
Dodge, ——, 116*n*
Donne, *see* Dunne
Dormer, Mary, 45*n*; Sir Wm., 45*n*
Douay, 34*n*, 74*n*, 319; College, 74*n*, 76*n*
Doughty, Dowghty, ——, 239; *see* Thorney *or* Thornely
Douglas, Archibald, Earl of Angus, 84*
Dove, Barth., 162
Dover, 1
Dowdale, Jn., 311
Dowghty, *see* Thorney or Thornley
Doyle, Henry, 313
Drake, Sir Francis, 31, 82; John, 39
Drury, Drurie, Dureus, Sir Drew, Constable of the Tower, 235, 250, 265, 284, 287; John, priest, S.J., 74**n*, 78, 84; Madame, 112; Sir Wm., 22
Dryden, ——, 78
Dryland, Christopher, priest, 89, 90–91
Duckett, Jas., printer, martyr, 277*n*
Dudley, Robert, Earl of Leicester, *als.* Sutton, 7, 23, 28, 32, 37, 43, 50, 57*, 58*, 59, 62*, 63*, 65*, 66*, 73, 76, 79, 112, 113**n*, 114, 132*, 138, 149, 159**n*, 161, 163, 166, 190, 213, 276, 285, 286, 339, 340, 367; *see* Sutton; libels against, 79; Robert, Lord Denbigh, 58; Thomas, 307, 311
Duffield, ——, Minister, 47*, 239, 240, 280**n*, 337
Dugdale, Sir Wm., 23
Dunboyne, Lord of, *see* Butler, James
Dunkirk, 174, 308
Dunne, Donne, Henry, conspirator, 80*, 84, 87, 113, 114**n*, 115–116, 153, 155
Dureus, *see* Drury
Durham, 380
Dyce, *see* Orton
Dyx, *see* Dix

Earl Soham, Suff., 369, 373
East Grinstead, 352; *see* Greenstead
Eawe, *see* Eu
Ector, Dr., 308
Edmonds, Edmunds, *als.* of Weston, S.J.
Edreston, Aynho-the-Hill, Northants, 42*n*, 132*n*
Edward III, 237*, 238, 241, 266*n*

Effingham, 250*n*, 315; Baron, *see* Howard of
Egerton, Sir Thomas, Solicitor-General, 126, 151, 170, 184*n*, 211, 214, 215, 236, 243, 247, 249**n*, 259**n*, 260*n*, 261**n*, 266, 271, 272, 279**n*, 281*, 282, 283, 286, 287
Eld, G., 326
Ellington, Northumberland, 132*n*
Elliot, George, 276**n*, 289**n*, 291**n*; yeoman, 253**n*; 236
Ely Castle, 341
Emerson, Ralph, S.J., 96*n*
England, Parliament, Bill against Catholics, 24; Privy Council, Lords of the, 8, 43, 48, 49*, 50
Englefield, Sir Francis, 68
English Channel, 166
Eresby, 250, 284
Errington, Arington, George, martyr, 132
Erskine, John, Earl of Mar, '83, '84
Essex, Earl of, *see* Devereux
Eu, Eawe, 65, 74**n*, 77
Euxton, 73*n*
Excommunication, Bill of against Elizabeth, 166, 167; do., removed, 83
Exeter City, Mayor of, 133; bp. of, *see* Woolton

Farmer, *als.* of Meredith, Jonas
Farnese, Alessandro, Duke of Parma and Placentia, 41, 86, 129*n*, 130*n*, 137*, 166, 167*, 168, 172*, 174*, 177, 190, 209, 212, 222–229, 236, 242, 257**n*, 259, 267, 270, 280, 281**n*, 282, 286, 288**n*, 343; styled, Prince of Parma, 79, 81, 82
Faulkener, James, 163; his wife, 163*
Faunt, Nicholas, 33*n*
Fawldering, Humphrey, 194*, 195 *see* Fullwood
Felton, John, assassin, 130*n*
Fenton, of Norlcaze, ——, 76
Fernihurst, Laird of, *see* Keir
Fetherstone, ——, servant, 43, 44*, 48* 337*
Fflynton, *see* Flinton
Ffume, *see* Flinton
ffoulgiam, Godfrey, 85
Ffume, *see* Flinton
Fiennes, of Clinton, Henry, Earl of Lincoln, 250, 265, 274, 284, 343
Fish (Tower butler), ——, 76; ——, his wife, 76
Fitzalan, Fitzallen, Henry, Earl of Arundel, 1**n*, 23, 35*n*, 349, 351; Joan, *see* Lumley; Lady Mary, *see* Howard Mary
Fitzgerald, James, Tower Earl of Desmond, 308, 345*, 346; Gerald, Earl of Kildare, 89; Shane, 306
Fitzharberde, *see* Fitzherbert
Fitzherbert, Fitzharberde, Sir Thomas, 345, 347; Thomas, of Swynnerton, 58, 65, 68, 78, 79*, 83, 85, 87, 94**n*
Fitzsimons, ——, 311
Flanders, 46*n*, 47*n*, 78, 82, 166, 174, 190, 281, 335, 336, 339
Fleetwood, Wm., Recorder Sergt.-at-Law, 34*, 37, 140*n*, 249, 264, 283
Flinton, fflynton, ffume, George, 73**n*, 74*n*, 75
Florence, 4, 5, 336*
Floud, Ric., 71*n*, 348
Flower, Wm., priest martyr, 279**n*
Floyd, ——, 76
Forteseue, Anthony, 125; Jo., 345*, 346*; Sir John, 310; Jn., 249; ——, 78, 264; *als.* of Ballard
Foster, nurse, 18
Fowler, Thos., 307
Fox, John (martyrologist), 21, 27, 348*
Foxley, *als.* of Bridges
Framlingham Castle, 25, 159, 366
Framton, ——, priest, 95
France, Ambassador of, *see* Castelnau, *see* Barrillon; Queen Mother of, *see* Medici, Mary de
Frewen, Henry, Tower Keeper, 348*
Fryar, Dr., 328
Fulke, Wm., puritan, 32
Fullwood, Fulthering Humphrey, 164**n*; *see* Fawldering
Fulthering, *see* Fullwood
Fyncham, ——, 77
Fyther, ——, 272

Gabuzio, Giov. Antonio, 335, 336
Gage, Edward, 26; John, 345, 347, 348; ——, 74
Gaile, ——, Dr, 310
Galloway, bp. of, *see* Gordon
Garnett, Henry, priest, S.J., martyr, 28, 98, 215, 289, 298–299, 302*n*, 315, 322, 337, 338, 339; Richard, 92**n*; Thomas, S.J., martyr, 92*n*.
Garter King at Arms, 263
Garthe, ——, 164
Gascoyne's maid, 194
Gawdy, Francis, 249; Justice, 253*n*; Serjt., 312, 370, 377
Genoa, Genowa, 81
George ——, servant, 12
Gerard, Alexander, priest, 189**n*, 196, 198*n*, 208*; John, priest, S.J., 189**n*, 190*n*, 302*n*, 318*
Gerrarde, Jarrat, Jerite, Sir Gilbert, Master of the Rolls, 140, 249, 252, 264, 287, 381; Lady, 186*; Sir

Thomas, 89*, 163, 180*, 181**n*, 182, 185*, 186*, 187, 191*, 192**n*, 194, 195*, 196*, 199*–215 *pass.*, 230, 236, 243, 260**n*, 261**n*, 262**n*, 271*, 272*, 275, 280**n*, 286*, 287*, 288, 298, 302, 339*, 340, 343, 353
Ghent, 318, 349; Jesuits at, 12, 318
Gifford, Gyfford, George, 22; Gilbert, provocateur, 67, 68, 83**n*, 84*, 85, 113, 114**n*, 145, 146, 150, 155**n*, 156*, 157*, 277*n*, 344, 363; Gilbert's father, 145; William, D.D., 84
Gilbert, George, confessor, 67, 73; George, 145; ——, 164
Gilford, Gylford, Lady, 74
Gittens, Thos., 311
Glasgow, bp. of, *see* Beaton, James
Gloucester, 163*
Godfrey, Rd., 369, 370, 377, 381
Gooderich, Gooderieke, 72
Goodman, Jane, 18
Gordon, John, bishop of Galloway, 21; John, 21; George, Earl of Huntley, 78, 83
Goring, George, 22
Grains (for rosaries), 55
Grateley, *see* Bridges
Gravelines, 166
Gravelines, Sisters of St. Clare at, 329
Gray, *see* Grey
Greatland, *see* Bridges
Green, Ingram, 162*
Greene, John, coiner, 162–163; John, 162; *see* Grene
Greenfield, ——, keeper, 324; ——, servant, 179*, 184, 189*, 194, 196**n*, 208, 209
Greenstead, East, 119*, 124; *see* East Grinstead
Greenwich, 105, 171, 221, 225, 345
Greenwood, ——, Tower keeper, 163
Gregory XIII, Pope, 84, 168, 222, 228, 231, 254*n*
Grene, Christopher, S.J., 58; Giles, 121, 122, 124, 129, 130**n*; William, "Servant," 381
Grenfield, Thomas, 153
Gresham, Edmund, 311
Grey, Gray, Lord Arthur, 262, 272, 274, 284, 343; Edward, 18; of Wilton, Lord Arthur, 250, 265, 274; Henry, Earl of Kent, 244, 250, 274, 283, 307, 343; ——, Dr., 311; ——, Lord, Ambassador for Scotland, 71; ——, Lord, 287
Greystoke, Parson of, 311
Griffin, ——, priest, 344; ——, tailor, 202
Grimshawe, ——, 72
Grivel, Fulk, 22
Groome, Thomas, 311
Gudgeon, Gudging, Robert, 19
Guilford, Surrey, 109
Guise, Guyse, Duc de, 40, 41, 77–81 *pass.*, 87, 88, 120, 138, 143, 155**n*, 156*, 157*, 217, 218, 236*, 253, 270**n*–281**n*, 284**n*, 286, 288**n*, 294, 295, 343, 363; Duchesse de, and children, 86; faction, 117
Gunpowder Plot, 189*n*, 267
Gyfford, *see* Gifford
Gylford, *see* Gilford

Habington, *see* Abington
Hague, The, 168, 171*, 172
Haijus, *see* Hay
Halifax, Marquess of, *see* Saville, George
Hall, Antony, skinner, 239*, 246, 255, 261, 269**n*, 280**n*, 288; Dr., 310; Hugh, priest, 119, 123, 124, 125, 132*n*, 133, 141*, 142–143
Hambleton, *see* Hamilton
Hamillon, C., printer, 11
Hamilton, Hambleton, Earl of, 84; Lord Claude, 83, 84; Lord John, 83
Hamlyn, Hamlin, Handlyn, Edward, 305, 309, 310, 313, 385
Hammonde, John, servant, 39, 179, 180*, 181*, 182, 185, 186*, 188, 190, 194*, 195, 199, 203, 204*, 208, 214*, 219, 288
Hampshire, Sheriff of, 73; *see* Kellway (?)
Hampton Court, 310
Handlyn, *see* Hamlyn
Hanmer, ——, 80
Hanworth, 380
Harchilo, *see* Atslowe
Hardwick, Bess of, *see* Talbot
Hardwich, Hardwicke, John, priest, 74**n*
Hareclif, ——, 72
Harris, ——, servant, 76
Harrison, James, priest, martyr, 189**n*, 208, 213, 345*
Harry, Geo., 39
Harsnett, Samuel, 74*n*
Harte, John, priest, S.J., 220*, 221, 223*, 224*, 238, 251*n*, 276**n*, 279, 290**n*, 291, 293**n*
Hartley, William, Ven., martyr, 75**n*, 86**n*
Harwich, 9
Hasset, Rd., 19
Hastings, Henry, Earl of Huntingdon, Lord President of the North, 41
Hatfield, 160*n*
Hatton, Sir Christopher, Lord Chancellor, Vice-Chamberlain, Capt. of the Guard, &c., 6, 29, 34*n*, 36, 37, 50, 57, 59, 113**n*–126* *pass.*,

131*, 139, 192, 206, 207, 240*, 242, 259**n*, 287, 296*, 321, 345*, 346, 347
Haughton, Rd., 18
Havard, gentleman, 74*, 75*
Hay, Haijus, Edmund, priest, S.J., 78, 83
Haydock, Vivian, Evan, *or* Euan, 276**n*, 285*n*, 293; his sister, 276**n*
Hayling Manor, 312
Haywood, Heywood, Jaspar, priest, S.J., 47**n*, 96, 337
Hearing, Myles, 18
Heath, Nicholas, Archbp. of York, 1*n*; Thomas, 307**n*
Heighington, Robt., 58
Heneage, Sir Thomas, Vice-Chamberlain, 176, 177*, 181, 184, 185, 192, 199, 201, 206, 207, 211, 214, 287, 345, 346*n*, 347, 364
Henri III of France, 77*, 78, 117, 134; IV of France, 278*n*
Henry II of England, 222, 228, 231; VI of England, 130*n*; VIII of England, 11, 27, 168, 312
Herbert, Henry, Earl of Pembroke, 250, 265, 274, 283, 343, 377
Herle, Wm., 22
Hertford, Earl of, *see* Seymour; Countess of, 309, 385
Hervie, ——, 337
Heveningham, Bridget, 18
Hewes, *see* Hughs
Hewett, ——, 260, 286
Heydon, Sir Christopher, 2**n*, 18, 104
Heywood, *see* Haywood
Hicks, Lady, 333, 335
Hide, Hyde, Rd., 19
Higgins, ——, 281
Highclif, Higheclyf, Robert, 72
Hill, James, 47, 52, 93, 95, 141**n*, 142, 262, 272, 277, 278**n*, 288, 293, 343; his mother, 343; ——, 236, 244
Hinlip, Worcester, 189*n*
Holdiche, John, Esq., 369–381
Hole, Thos., tutor, 343, 344
Holford, ——, 44, 164
Holinshed, ——, 257, 289
Holkwell, Hollowell, Oliver, priest, 74**n*
Holland, C., priest, 76, 306*, 307; John, 311, 369–381; ——, servant, 45
Holland, 149
Hollesley, tenants of, 376
Hollowell, *see* Holkwell
Holmede, Ant., 311
Holt, Wm., S.J., 67
Holtby, Rd., priest, S.J., 302*n*
Hoorde, Dorothy, 45
Hopton, Cecily, 186, 191, 353; Sir Owen, Lieutenant of The Tower, 12, 32, 131*, 151, 152, 153, 163, 177, 195, 235, 256, 259, 262, 263, 265, 273, 274, 284, 287, 289, 309, 310, 344, 345–346, 348, 353
Horsham Gaol, 93
Horsham St. Faith, Norwich, 318
Horton, ——, 136
Hoskins, John, 345*
Hovell, Rd., *als.* Smyth, 123
Howard Family, 31, 57, 257, 349; proceedings against the, 142
——— House, Charter House, 35**n*, 125, 351*
Where a relationship is here mentioned (as, father, mother, &c.), it refers to Earl Philip
Howard, Agnes (Tylney), Duchess, 39*n*; Anne (Dacre), wife, Countess of Arundel and of Surrey, 12, 18, 36, 37, 41, 43*, 44, 46*n*, 47, 52–57, *pass.*, 66, 80, 87, 96**n*, 113, 134, 135, 149, 155, 156, 157*, 191, 197, 198, 215, 216, 246, 255, 269, 273, 298*, 303, 304*, 312–322 *pass.*, 330*, 362–364, 370, 374, 376, 380*
(Of Effingham) Charles, Lord, Lord High Admiral, cousin, 45, 159, 160**n*, 161, 250*n*, 309, 310, 315, 345*, 346*, 347, 366, 385; Catherine (Lady Derby), 248*n*
Elizabeth, Lady, daughter, 56, 255*n*, 373, 377; Elizabeth (Lady Dacre), sister-in-law, 18, 32, 370, 377; Elizabeth (Stafford), Duchess, 1; Frances (de Vere), grandmother, Countess of Surrey, &c., 386; (of Effingham), Frances, Countess of Hertford (Seymour), cousin, 309, 385; Gilbert, grandson, 380
Henry, grandfather, Earl of Surrey, 104*n*, 110, 386; Henry, uncle, Earl of Northampton, 6, 26–28*, 30–34, 36, 46, 52, 53, 58, 111–113, 125, 149*–151, 155, 303, 308*, 311, 370, 377, 381; Henry, 6th Duke, 135, 151*n*, 368; Henry Fitzalan, 14th Duke, 368*; Henry, Frederick, grandson, 380
James, Lord Maltravers, grandson, 380; Margaret (Audley), stepmother, Duchess, 1, 2, 340; Margaret, sister, *see* Sackville; Mary (Dacre), sister-in-law, 18; Mary (Fitzalan), mother, Duchess, 1
Ven. Philip. Itinerary, 349; title by courtesy, Earl of Surrey, 3, 12, 16; dropped on his father's attainder, 16, 19, 20; reassumed, 18, 19, 21*, 22*. Earl of Arundel,

23; House of Lords, 23, 98. Title dropped on attainder, 305, 306, 383, 386; title reassumed, 304, 305, 309 and *pass.*. Fitzalan quarterings, 23, 378. Dignities restored, 378; title of Venerable, 358

Estates and property, 6, 7, 18, 35, 38, 39, 111, 303, 312, 313, 368–381, 386; lessees of, *see* Carroll, Godfrey, Holdiche, Holland, Keeper, 369**n*; estate records, 379–381; Dacre estates, 137, 151, 312. Property held in trust, 303, 368, 369, &c., 382; expenses at court, 311, 386, *see* 21–23, Allowance for clothing, 304, 305, 384

Baptism, 1; marriage, 2; education, 16, 20, 21, 359–361. Catholic influences, 1, 20, 32, 33, 43; received into Church, 96, 387, Protestant influences, 6*, 7, 9, 18, 26, 47.

Life at court, 21–23, 386; gifts, 22, 23; banquets, 22, 111; shows, 22; tilts, 22, 23; Elizabeth at Kenninghall and Norwich, 21; at Arundel House, 41; public offices, 25, 26; daily occupations, 34; literary dedications, 26; share in politics, 27, 32; his uncle, Lord Henry, 32; words with Drake, 32; his players, 37, *see* Vallenger; backgammon, 35; tennis, 380

Court quarrels, 29, 31, 33, 35–37; malice of enemies, 45, 361, 365, 367; enemies forgiven, 364, 367; Leicester, 62, 65, 66, 102, 159–161, 367; Elizabeth's praises, 111; *mauvaise opinion*, 112, 127, 218, 331, 364, 365; excused, 366; gracious, 366; Cecil, 193, 217, 383, 385

Political crisis of 1583, 40: plot-mania, 40; flight proposed, 41; confined, 45, 103, 337; examined, 45–48; his followers examined, 50; his protest, 48, 49, 103; government reply, 50, 337; possible *ruse de guerre*, 51*n*, 126; release, 56, 103; Berden spies upon his followers, 72, 73, 75, 79, 87, 88. James Hill on his loyalty, "never affected" the discontented, "but did inveigh against them," 95.

Reconciled by Weston (not Grately), 96, 150; consequent peace, 105; Holy Communion, 96; difficulties, 97, 105; avoiding Protestant services, 97, 105; thoughts of Howard misfortunes, 104, 110, 111; letter to Allen, 114, 116–118, 143, 227, 373; Atslow's services, 136

Letter to Elizabeth, 99, 106, 141, 257, 325, 326; "Seigneur de fort douce conversation," 111; "My chief care was to please yr. Maj.", 101; "La regne me le loua fort, et son bon naturel," 111; Son service en toutes choses, 111; Lady Drury speaks of him, la larme a l'œuil, 112

Flight, 97, 162, 228; for conscience, 116; pour vivre en liberté de sa conscience, 111; "conscience it cannot be," 119; only for conscience, 123, 135

Arrest, 98; money seized, 110, 134; not betrayed by Grately, 71–73, 114; "a joyful, merry countenance," 109; examined in Tower, 113–115; suspected letter to Baker of Lynn, 115, 245, 257, 281, 286; protests of innocence, "slipping not fallen," 118; Walsingham's change, 115–117; A.'s "courage to be abated," thinks "no one more fearful," 117; on "further proceedings," 129; parallel with Percy, 127; Percy says, "A. better able to direct him, than he A.," 121; the official fraud practised on Percy, 126

Rishton's note, 135. Star Chamber trial, 139; illegality, 138; charges discussed, 238–243. Protest of innocence, 144; is told this extends to further accusation, 144; sentence, 144

Mary Stuart and Babington on his chances, 147; Mary weeps for him, 148. Morgan indiscreet, and inaccurate, 149; imprisonment made more severe, 151; conditions of liberty, 98, 150, 331; prayers for, 367; his conscience, 366; apologies from Tyrrell, 153, 362; offers prayers and life for Q., 158, 366; vouched for by Burghley, 365

Masses, 194, 201; where said, 185, 188; succour to priests, 141, 186, 194, 208; £30 to Cecily Hopton, 191; Mass vestments, 179; Bennet, chaplain, 179; Masses of H. Ghost, and *ad tollendum Schisma*, 185, 198–201, 208, 230, 300; burns papers at Mass, 190, 192; 24-hours prayer proposed and abandoned, 189, 192, 198, 213, 230; concern about massacre,

190, 192, 339–342; makes his will, 369. Inquiry about Tower, 177. Letter to Hammond, 179. Bennet's information, 180, 185; under compulsion, 198; his apology, 182, 183
Gerard's further information, 181; second examination, 211. Alleged words, when fleet discovered, 187, 189; after its passing, 214; on disposal of crown, 205, 213; on excommunication, 206, 211. Examined, 190–193; asked bloody question, 193. Summary of Waad's accusations, 208; A. intentions in prayer, 214
The Indictment, 220–232. The priests' plot against Q., 220; Q. warns against priests, 225; A. receives priests, 225; is treasonably reconciled to Church, 226; plots the Q. death, 226; is at Allen's direction, 227; attempts flight, 228; the excommunication and its execution by Armada, 228, 229. A. knowing this incites Bennet to Mass, 230; and orders 24 hours prayer, 230, 231
The Arraignment, 232–289; character of, 232; reporting, 233; formalities, 235; division of charges between counsel, 238; A.'s defence, 237; the texts, 247, 342; Reports, S.T. (State Trials), 248; Y. 1, 264; R.O., 274; Y. 2, 283; O. 1, 288; other reporters, Garnet, 300; Broughton, 302; Phelippes, 342. The court, 249, 264, 274, 283. Indictment, 251, 266, 275, 284
Puckering, 253, 267, 275, 284; Shuttleworth, 267, 277, 285; Popham, 254, 268, 277, 281, 285; Egerton, 259, 271, 279, 281, 286; Evidence, 261, 287, 288; conclusion, 262, 272, 287
Letters after trial, to Queen, to Hatton, 296; to Publie, 297; to Keeper, to wife, to Southwell, 298; to Burghley, 303–306
Popham's brief, 287–294. Allen's book, 295; Crichton, 294; Eliott, 291; Elizabeth only tolerated, 292; Harte, 293; Hill, 293; League rumours, 292, 293; Mayne, 291; Morgan, 295; Duke of Norfolk, 290; North Rising of, 290; Parry, 295; Rishton, 293; Sander, 291; Somerville, 294; Throckmorton, 294
Correspondence with Allen, 245; letter to Baker of Lynn, or Smith, 115, 245, 257, 270, 281, 286; Meredith's story, 239; discontent, 243
"Catholic cause" means invasion, 227, 229, 267, 292, 293, 297, 307; means "mere treason," 254; means "traitors," 257
Catholics, no Catholics, true Catholics, 253, 257; Ecclesia Religio Romana, 226, 227*; Catholic Roman Faith, 297; Eglise Anglicain, 112
The title "Duke," 240, 258, 270, 282, 286, 289; the style "Prince," &c., 32, 135, 199; King, 286, 288, 289, 307, 308, (?) 355, 379
On Vallenger, 33, 337; denied, 184; repeated, 142, 255, 268; James Hill, letter cited, 293; A. examined about, 47, 52; Hill on A.'s loyalty, 95; Walton about Hill, 262, 272, 277, 278, 288, 343
Father Southwell, 318–323; Letter to A., 320; *Epistle of Comfort*, 321; *I die without desert*, 323
Literature, 324–330; *Fourfold Meditation*, 326; *On Christ crucified*, 327; *Christ to Christian Soul*, 327
Close imprisonment is "sitting in the shadow of death," 306; sickness, 159, 367, 384; doctors for, 308, 309*, 310, 332, *see* Atslow, Martin, Ector, Stanhope, Fryer
Servants, 309, 310, 314; poor servants to be supported, 377; the poor to be paid first, 372; lawyers, &c., 153, *see* Dyx, Necton, Cornwallis, &c. Lessees, 369, 380, 381
His constancy, 316, 366; confession of faith, 368; devotion to his wife, 315; breaches of, 66; begs to see wife and child, 367; his miseries, 306; gratitude, 304, 305, 383, 385; forgiveness, 364, 367
Last scene, 330–332; ? if poisoned, 98; burial, 333; relics, 356; beatification, 358; portraits and handwriting, 357, 358. His breviary, 98; rosary, 331; Easter duties of Countess, 44; Relics and beads, 43, 44, 55; serves Mass, 185, 188, 189; Holy Communion, 96
——— Thomas II, Duke, great great grandfather, 39, 104**n*, 110, 257**n*, 281**n*
——— Thomas III, Duke, great grandfather, 110*, 257**n*
——— Thomas IV, Duke, father, 1, 2*, 3*, 10, 11, 12–16, 17, 20, 24*, 25*, 27, 30, 32, 33, 38, 40, 42, 45, 104*n*, 113, 257**n*, 281*n*, 349*,

350, 368, 370, 374, 379; his bible, 10–12
——— Thomas, Lord, Earl of Suffolk, half-brother, 16, 18, 21, 22, 32, 35, 187*n*, 246, 315, 359, 368, 370, 377
——— Thomas, Lord, son, Lord Maltravers, Earl of Arundel, 331, 356, 367, 373, 377
——— William, Lord of Naworth, half-brother, 16, 18, 21, 32, 41, 44, 45*, 71*n*, 109, 113*, 114, 119, 123*, 124*, 125*, 130*, 131, 137*, 151, 155, 240, 269**n*, 331, 344, 348*, 349, 359, 368, 370, 375
Howdean with Wallandes, Sussex, 376
Hoxton, 76
Hughs, Hewes, ——, 195
Hull, 41, 162
Humberstone, Robert, 346*, 348; Mrs., 346*
Hunsdon, Lord, *see* Carey
Hunter, pirate, 26
Huntingdon, Earl of, *see* Hastings, Henry
Huntly, Earl of, *see* Gordon
Hyde, *see* Hide
Hygate, 376
Hyll, ——, 77
Hythe, ——, 307*n*

Ingram, ——, 70
Ireland, 79; a bishop from, 81
Isham, Christopher, 386
Ithell, Udell, John or Ralph, priest, 76**n*, 77, 80, 176, 179, 180*n*, 182*n*, 189, 193, 196*, 200, 208*, 213, 251, 261

James VI of Scotland and I of England, King, 28, 40*, 63, 70**n*, 78*, 82, 99, 151, 164*n*, 339, 356
James, Edw., priest, 164**n*
Jarret, *see* Gerard, Sir Thos.
Jaureguy, Jean, 40
Jenny, Edmund, 43*
Jerite, *see* Gerard
Jerret, *see* Gerard
Jesuits, The, 47, 54, 108, 141, 267*; At Ghent, 318; in Scotland, 82; Rector of, 136
Jetter, ——, 176
Jewell, John, bishop, 34*n*
John, King, 228, 231
Joinville, 78, 281
Jones, Elizabeth, 347, 348; ——, 34*
Jugge, ——, printer, 11
Jury, John, 45

Keeper, Keper, John, secretary, 50**n*, 316, 317, 354, 369–381; Lord, *see* Bacon, Nicholas; *see* Puckering
Keir, Sir Andrew, Laird of Fernihurst, 307**n*
Kellaway, Keloway, Thomas, 22
Kellway, Francis, Sheriff of Hants, 109**n*
Kempe, ——, priest, 84; ——, 153
Kenninghall, 2**n*, 18*, 21, 159, 349, 350, 366, 369, 370, 374, 380; closet at, 370, 375; Old Park, 377
Kenningtree, ——, 18
Kent, Earl of, *see* Grey
Keper, *see* Keeper
Kildare, Earl of, *see* Fitzgerald
Killigrewe, Henry, 21, 165, 167, 168, 169*, 171, 270
Kinaston, Rd., 313
King's Lynn, Norfolk, 257, 270*n*, 281*n*, 288**n*
Kingston, Earl of, *see* Pierrepoint
Kingswood, 162
Knevett, *see* Knyvet
" Knight, The White," 307
Knivet, *see* Knyvet
Knollys, Knowles, Sir Francis, Treasurer of Household, 139, 232*, 235, 249, 264, 265**n*, 274, 345, 347; *see* Knowles
Knott, Wm., 47**n*
Knowles, Henry, 22; Robert, 22; *see* Knollys
Knyvet, Knevett, Knivet, Henry, 162; Lord Thomas, 22, 33*n*, 34, 35–36*
Knyvet, Affray, The, 33, 37

Laighton, *see* Layton
Laiton, *see* Layton
Lambeth, 210*
Lancaster, 74*n*
Langhorne, ——, 123
Langston Haven, Sussex, 119
Lanherne, 112*n*
Large (French post), 77*
Latimer, Lord, *see* Nevill
Laton, *see* Layton
Latwise, *called* Rogers, 70
Laud, Archbp., 5
Laughlyn, Bp. of Ireland, 347, 348
Laughton, Lawton, Layton, Capt., 41; *see* Layton; Lawton George, tutor, &c., 16, 17, 18, 21*, 39**n*, 359–361
Laundress, aged, 179
Lawe, George, servant, spy, 43, 44*, 45, 46–47*n*, 51*n*, 55*n*, 350
Layton, Laiton, Laighton, Gilbert, 70; Thomas, 132**n*; *see* Laughton
Leavre, ——, 344

Lee, Henry, priest, 349 ; Katherine, 347, 348
Lee, Stafford, 164
Leghe, *see* Leigh
Leicester, Earl of, *see* Dudley
Leigh, Leghe, Richard, priest, martyr, 189**n*, 194, 208, 213
Leighlyn, Prot. bp. of, 345
Lemon, Rob., calendarer, 85–86*n*
Lennox, Duke of, *see* Stuart
Leominster, *see* Lyminster
Leslie, Lesley, John, Bp. of Ross (Rose), 3, 4, 8, 9, 73**n*, 78, 81, 270, 292**n*, 293**n*
Lettice, Dame (Lady Essex), 62
Lewis, Owen, Dr., 80
Lewknor, Leuknor, Richard, 25 ; Thomas, 25
Liggons (Cox ?), Ralph, 281
Lincoln, bp. of, *see* White ; Earl of, *see* Fiennes
Ling House, 386
Lisbon, 68
List. Alic., 71*n*, 348
Lizard, The, 166
Llandaff, dioeese of, 76*n*
London, poor of, 376, Sheriff of, 347
Places in—
Arundel House, 10, 35**n*, 45, 48, 50, 65*n*, 67, 313–349, 350, 351, 352, 364, 368
Aldersgate Street, 36, 75
Barbican, The, 35*n*
Bishopsgate Street, 35*n*
Blackfriars, 36
Chancery Lane, 94
Charterhouse (afterwards Howard House), 10, 35*n*, 44, 57*, 96*n*, 125, 221*, 222, 226*, 227, 228, 256, 279, 284, 313, 318, 319*, 344, 350, 352 ; tennis court at, 380
Cheapside, 34*n*, 163, 164, 337, 344
Churches—
St. Catherine's, 364
St. Clement's without Temple Bar, 1
St. Clement Danes, 133
St. Giles-in-the-Fields, 146
St. Paul's, 166, 212, 261
St. Paul's Churchyard, 133
St. Paul's Cross, 154, 156, 239, 256, 280
St. Peter's, 32
Westminster Chapel Royal, 1*n*, 349
Clement's Inn, 76*n*
Clerkenwell, 95
Coopers, Her Majesty's, near Paul's Wharf, 75
East Smithfield, 157, 364
Fetter Lane, 94
Finsbury, 140*n*
Fleet (Flete) Street, 74
Foster Lane, 162
Gray's Inn, 73*n*
Holborn, 94
Howard House, *see* Charterhouse
Jewry Lane, *see* St. Laurence
Lambeth, 210*
London Bridge, 207, Wall, 344
Milk Street, 164
Old Fish Street, 307
Paul's Wharf, 75
Playhouses—
The Curtain, The Theatre, 37**n*
Prisons—
Bridewell, 94, 183**n*, 184, 195
Counter (Compter), 70*n*, 153, 182, 185, 199, 200*, 201*, 203, 210
[Counter in] Poultry, 196
Counter in Wood Street, 89, 164, 187, 195, 196
Clink, 71*, 73, 80, 154, 164**n*, 195
Fleet, 34*n*, 337
Gatehouse, 89, 131*n*, 195, 196
Marshalsea, 70*n*, 71**n*, 75, 94, 136, 164, 345
Newgate, 41, 134, 164, 195*, 196, 259, 307, 346, 347
St. Katherines, 157, 195, 288 ; Bayliff's House at, 179 ; Master of, *see* Rockby
Tower, 2, 3, 5, 12, 20, 31, 32, 33, 34, 40, 50*n*, 65**n*, 67, 68, 70**n*, 71*, 75, 76*n*, 77*n*, 88*, 89, 90, 96, 108–118 *pass.*, 123, 128, 129, 130**n*, 131*, 132*n*, 140, 144, 146*, 147, 148, 151, 154–165 *pass.*, 172, 177*, 178*, 184–201 *pass.*, 207*, 210*, 213, 215*, 217*, 219, 222, 229–236 *pass.*, 240, 242, 247, 252, 256*n*–262 *pass.*, 264, 268, 271, 275, 276, 282–289 *pass.*, 295**n*, 299*, 303–310 *pass.*, 314, 316, 318, 319, 322, 323, 325, 332–333, 337, 338, 340–342, 344*–355 *pass.* ; liberty of the Tower, 367 ; lodgings in, 361, 365
Tower, places in the—
Beauchamp Tower, 12, 151, 165*n*, 189*n*, 190*n*, 352, 353, 354, 356*
Bell Tower, 353
Broad Arrow Tower, 189*n*, 345
Coleharbour (Coldharbour, Coleharbert), 178**n*, 179*, 180*n*, 186*, 188*, 194*, 198, 204, 214, 275
Lantern (Lanthorn) Tower, 188*, 189, 190, 353*, 355
Martin Tower, 70**n*, 71
Salt Tower, 153, 188*n*
Tower Green, 61

Tower Hill, 122, 151*, 155, 156, 157, 213, 364
Tower Wharf, 157, 364
White Tower, 177*n*
Tower—Officials—
Butler to the, *see* Fish
Keeper of, *see* Vannor
Lieut. of, *see* Hopton; *see* Blount
Server in the, *see* Wattes
St. James', 1*n*, 170
St. James' Palace, 310
St. John's Wood, 146
St. Laurence (Jewry) Lane, off Cheapside, 34*n*, 35*n*
Salisbury Court, 164
Seething Lane, 50*
Shoreditch, 37*n*
Smithfield, 94
Southwark, 134
Spital, 156
Star Chamber, *see* Westminster
Strand, 349
Taverns—
"Bell" in Aldersgate Street, 75
Bushel House, 162
"Sign of the Bishop" in Fleet Street, 74
"White Hart" in Holborn, 94
Temple Bar, 1, 164
Thames Street, 307
Trinity Lane, 74
Tyburn, 246
Walsingham House, 151
Westminster, 220, 221, 223, 224, 225, 232, 233, 298, 337
Abbey, 105
Chapel Royal, 1*n*, 349
Hall, 35, 218, 232, 264
Court of Chancery, 233, 246, 273
Court of Common Pleas, 263
Court of Queen's Bench, 233, 246
Great Hall of Pleas, 232, 233
King's Bench, 248, 261, 337, 338
Palace, 349
St. Stephen's at, 1*n*
Star Chamber, 33*, 52*n*, 65*n*, 79, 98*n*, 99, 108*n*, 115**n*, 126*, 137–138, 139, 140**n*, 150, 154**n*, 155, 156, 157, 184, 207, 209, 218*, 240–241*, 246, 256, 267–268, 278, 311, 327, 337*, 353
Lords of the, 134, 138
Whitefriars, 162
Whitehall, 1**n*
Lostock, 73*n*
Loveday, ——, 164
Low Countries, 129**n*, 254, 260
Lowe, Sampson, 76*n*
Lumley, Joan (Fitzalan), Lady, 1, 53; John, Lord, 23, 25, 149, 311, 352, 369, 374
Luther, 384
Lygon, Lyggons, Ralph, 81**n*
Lymington, Hants, 109**n*, 162*, 352; George Inn at, 162
Lyminster, Leominster, nr. Arundel, 109
Lyn, 115*n*
Macartney, Florence, 309
Macarty, Florence, 345*, 346
MacWilliams, ——, 117, 131, 316
Madrid, 4, 40, 174
Magna Charta, 130*n*
Malines, 94*n*
Malinton, Thomas, de, Baron de Weme, 349
Manners, Edward Roger, 3rd Earl of Rutland, 41*, 78, 138, 337*
Manny, *see* Meanys
Manwood, Sir Roger, Lord Chief Baron, 140, 249, 264
Mar, Earl of, *see* Erskine
Marian, priest, 46*n*
Marprelate, Martin, 319, 321
Marprelate controversy, 351
Marten, Martin, Dr. ——, 308, 311, 370, 376; his wife, 308
Martin, Gregory, D.D., 20*, 33, 55*n*
Martinningo, *als.* of Vannietico
Martyn, Alderman, 162, 311
Martyrs' relics, 55
Mary I, Queen of England, 1*n*, 5, 11, 59, 60, 63, 104*n*, 127, 165, 349
Mary Queen of Scots, *see* Stuart
Maude, Mawde, Bernard, 145–146
Mawde, *see* Maude
Maxfield, *see* Maxwell
Maxwell, Maxfield, Lord John, 83, 84
Mayne, Bd., Cuthbert, martyr, 290–291**n*
Meanys (Manny), Anne (*olim* Scott), 74**n*
Medicis, Marie de, Queen Mother of France, 17, 42, 68
Mediei family, 5
Medley, Robt., 39, 311
Mendoza, Bernardino de, Spanish Ambassador, 22, 27*, 30, 31*, 32, 41*, 51*, 77*, 82, 99, 109*n*, 113, 116*n*, 137, 145*, 169*n*, 174, 195, 219, 337
Menin, Josse de, 129*n*
Meredith, Jonas, *als.* Farmer, priest, 84*, 98*n*, 108*n*, 239*, 240, 255*n*, 256, 280
Mershland, Norf., 376
Messia (Micea), Marco Antonio, 219
Metico, Andrew van, 165

Micea, *see* Messia
Michelgrove, Clapham, nr. Arundel, 128, 136, 189*n*
Middlesex, 380
Middleton, Myddleton, Wm., 18
Milburne, Robt., 176, 194, 208
Mildmay, Sir Walter, 45, 119, 120, 122, 123, 159, 242, 259**n*, 366; Sir William, *see* Sir Walter
Miles, *see* Mylles
Milton, Mylton, ——, 194
Momford, John, secretary, 41, 96*n*
Monke, John, 18
Montague, Lord, 75**n*; *see* Browne, Mary; *see* Wriothesley
Montalto, Cardinal, 17
Monteagle, Lady, *see* Stanley
Moody, Michael, 345*
Moore, ——, 72
Mope, *als.* of Paget, Charles
More, Henry, priest S.J., 319, 322; John, 311
Moreton, Nicholas, Cardinal, 220*, 221, 223*, 224*; *see* Morton
Morgan, Polydor, priest, 94; Thomas, 67, 76*n*, 77*, 78*, 80, 84, 96, 122, 123*, 124, 130*n*, 136*, 137*, 145, 146*, 148*, 149, 150, 176, 256**n*, 268**n*, 278**n*, 292**n*, 295*, 308
Morley, Lady, 80; Lord, *see* Parker, Edward
Morton, Moreton, Thos., 390**n*; ——, 251*n*, 275
Mott, *als.* of Paget
Mowse, Mary, 19
Munster, 306–307
Myddleton, *see* Middleton
Mylles, Miles, Francis, 88, 91, 129, 151
Mylton, *see* Milton

N.S., 172*
Nacton, *see* Necton
Nansey, Cecily, 19
Narbonne, Provence, 293*
Necton, Nacton, Wm., 304, 305, 312, 313, 314*, 321, "my receiver general," 381
Nellowes, John, 44*
Netherlands, 159*n*
Neuill, *see* Nevill
Neve, John, 123
Nevill, Neuill, Edmund, Lord Latimer, 72, 189**n*, 213, 345, 346*, 348; Charles, Earl of Westmoreland, 62*n*, 79, 81, 82, 147*, 148*
New Abbey, called Sweet Heart Abbey, Kirkcudbright, 84
New Forest, Hants, 162
Newcastle-on-Tyne, 72*, 87*
Newman, ——, 164
Nicholson, ——, priest, 94
Nobel, ——, 344
Nonsuch, 159, 367
Norfolk, dowager duchess of, *see* Howard, Elizabeth; Duchess of, *see* Howard, Margaret; *see* Howard, Mary; Duke of, *see* Howard
Norfolk, 21*n*, 47, 380
Norleaze, Derby, 76
Norrice, *see* Norreys
Norreys, Norryce, Norris, Norrice, Henry, Lord, 233, 244, 246, 250, 262*, 263, 265, 273, 274, 284, 287
Norris, ——, of Lancashire, 94*
Norris, Mr., Serjt. of the Garter, 249
Norryce, *see* Norris
North, President of the, *see* Hastings
North, Lord Roger, 113, 250, 274, 284
Northampton, 380; Earl of, *see* Howard; Marquess of, *see* Parr
Northern Rising, The, 3*, 62, 127, 165, 290**n*
Northumberland, 380; Earl of, *see* Percy
Northwick, 312
Norton, Thos., 338; Wm., 39
Norwich City, 21, 39, 159
Norwich House, 318, 366
Nowell, Noweth, Dean, his catechism, 17, 18,; Mr., 164
Nuntio in Flanders, 91*n*; in Paris, *see* Ragazzoni
Nutteby, *als.* of Rogers, Edw.

Oath of Royal supremacy in Spirituals, 21*n*
Offley, Hugh, 344
Ogden, Richard, 19
Oge, Shane, 306
Oldcorne, Edward, priest S.J., 302*n*
Olivares, Conde de, Spanish Ambassador, 167*, 174
Orange, Prince of, 40*, 41, 130*n*
Oreworke, *see* O'Rourke
Ormonde, Earl of, *see* Butler
O'Rourke, Oreworke, Sir Brian, 345–347
Orton [Dyce], Henry, 71**n*, 76, 295**n*
Osana, Francisco, printer, 335
Ostend, 172
Owen, Hugh, 242, 243, 245, 267**n*, 281**n*
Oxford, Earl of, *see* Vere, de
Oxford House, 35*n*
Oxford University, 20, 27, 33, 195; All Souls, 163; New College, 34*n*; St. John's, 20; Trinity, 32*n*

Padmore, Widow, 193, 194
Page, ——, pirate, 26

Paget, Charles, *als.* Mope, Mott, 40, 41, 45–46, 48*n*, 51, 52*, 53, 54*, 55*, 67, 70, 71*n*, 76*n*–85 *pass.*, 91, 92, 119, 120, 121, 122, 126, 127–128*, 131*n*, 135, 145*, 146*, 238, 251, 254, 277, 278, 341; Thomas, Lord, 40, 46*, 81, 121, 122, 128, 147, 294
Paine, *see* Payne
Palavicino, Horatio, 77, 78, 85
Palete, Pero (Piero), 168*, 282*n*, 288
Palmer, Sir Thos., 25
Parham, 250, 265, 284
Paris, Parrys, 33*n*, 40, 58, 65, 70, 78, 79*, 82, 85, 91–92, 99, 113, 114*n*, 116*n*, 145*, 272*n*, 278*n*, 319, 322, 339, 340, 343
Parke, John, the elder, 18
Parker, Edward, Lord Morley, 80, 250, 265, 274, 284; John, younger, 19; Matthew, Archbp. Canterbury, 34*n*
Parliament, 105
Parma, Prince of, *see* Farnese
Parr, Wm., Marquess of Northampton, 21
Parrot, Thos., 22
Parry, Parrie, Wm., LL.D., Wm., adventurer, 57, 123*n*, 125, 236, 241, 277*n*, 292*n*, 294*n*, 295*, 299, 301
Parrys, *see* Paris
Patchyng, 131*n*
Paulet, Amyas, Sir, 88, 145, 177*n*, 190; Wm., Marquess of Winchester, 233, 250, 265, 274, 283, 343
Payne, Paine, Jerome, Cath. prisoner, 165, 189*n*, 213, 345; Bd. John, priest and martyr, 236, 253*n*, 267, 285, 291*n*, 293, 299
Peacock, Pecocke, Edward, 18
Peckham, Sir George, 74*n*, 338
Pemberton, Jn., 311
Pembroke, Earl of, *see* Herbert
Percy, Henry, Earl of Northumberland, 39*n*, 40*, 41, 42, 46, 51*, 79*n*, 80, 98*, 99, 110, 113, 118, 119, 120, 123*, 126–133 *pass.*, 139*, 147, 150, 188*n*, 220*, 221, 223*, 224*, 240, 246, 254, 277, 278, 285, 289, 337*, 343; Countess of, 337; Thomas, Bd., Earl of Northumberland, 62*n*
Periam, Wm., 140, 249
Perrot, Sir John, 249, 264, 345*, 347, 348
Persons, Parsons, Robert, S.J., 58*, 67, 68, 73*n*., 75, 77, 80, 82, 83, 85, 86, 87*, 87*n*, 154, 167, 174, 251, 267*n*, 292, 294, 315
Petersfield, 73
Petworth, 120, 121*n*, 128*
Peverel, ——, 354
Phelippes, Thomas, decipherer, 69, 78, 82, 86*, 88, 89*, 90, 91*, 92, 93, 145, 146, 256*n*, 258, 279*n*, 288, 342*, 344; his wife, 91
Philip II, King of Spain, 1*, 5, 30, 31*, 42, 69, 78, 79, 80, 82*, 86, 109, 113, 116*n*, 117, 129*n*, 137*, 165*, 166*, 167*, 168*, 172, 174, 191, 219, 222, 228, 229, 231, 251, 261, 268, 276, 281*n*, 282, 291, 292, 293*, 294*
Pierce, Dr., 91*n*
Pierrepoint (Perpoynte), Gervais, Jarves, 70*n*, 71, 75; Robert, Earl of Kingston, 70*n*
Pirates, 81
Pius V, Pope, 4*n*, 5, 9, 57, 79, 80, 165*, 168, 222, 228, 231, 282, 290*n* 292*n*, 309, 335, 336, 338
Placentia, Duke of, *see* Farnese
Plymouth, 211
Poley, Pooley, Robert, 132*n*, 146; ——, 73*n*
Pooley, *see* Poley
Pope, *see* Pius V; *see* Sixtus V
Popham, John, Attorney-General, 6, 33, 99*, 126, 127, 138–144* *pass.*, 165, 181, 184*n*, 211, 214, 218*, 219, 233, 235*–246 *pass.*, 249*n*, 252*n*, 254*n*–262* *pass.*, 266*, 268*, 269*n*, 270*n*, 275–279 *pass.*, 283, 285*n*–289 *pass.*, 303, 381
Portsdown, 125
Portsea, 125
Portsmouth, 69, 71, 73, 125, 240
Powell, Jn., 347, 348
Power, ——, 163
Prannel, ——, 311
President of the North, *see* Hastings
Prestal, John, 132*n*, 161
Preston, Helen, *see* Stanley; Mabel, 18
Price, Aprice, James, 130*n*; Wm., 132*n*
Priest (unknown), 162*
Privy Council, 93*, 103, 111, 113*
Probie, Peter, 346
Protestant Netherlands, 166
Puckering, Serjt., 236, 238*, 249*n*, 253*, 254, 267, 275, 284*, 312; Sir John, Lord Keeper, 310

Quarnock, 133

Radcliffe, Henry, Earl of Sussex, 7, 28, 31*, 250, 265, 283, 343; Thomas, Earl of Sussex, 336; Richard, 370, 377, 378
Ragazzoni, Bp. of Bergamo, Nuncio at Paris, 77, 81, 83*
Rainberde, *see* Raynebeard

Rainham, Norf., 38
Raleigh, Sir Walter, 15
Ramsey, Rd., 310
Ramus, Pierre de la Ramée, 26
Randall, *see* Randolf
Randolf, Randolph, Randall, Rd., 165, 180*n*, 182,* 183,* 184*, 196, 197*, 199*, 200*, 202**n*, 243, 264
Raynebeard, Rainberde, Mr., 348; Nicholas, 330, 331, 369; ——, his servant, 348
Reading Prison, 341
Recusancy, 55
Resso, 281
Revell, Thos., *als.* Browne, 75
Reynolds, Wm., 345
Rheims, Rhemys, Remys, 65, 70**n*, 72, 73, 74, 83, 84, 86, 87*n*, 97, 114*n*, 143, 163, 218, 220, 221, 223, 224*, 236, 238, 262, 272, 293; English College, 76*n*, 87, 97, 131*n*, 308, 343
Rhemys, *see* Rheims
Rich, Robert, Lord, 250, 265, 274, 284
Richards, Rychards, Card: Allen's man, 70, 75*, 76*; John, 19, 295; pirate, 26; ——, 87
Richmond, 28
Ridolfi, Ridolphi, Roberto, 3, 4**n*, 5, 8*, 15*, 325, 326; Mission of, 3
Ringwood, Abington's servant, 186, 188
Rishton, Edw., 135, 293, 294**n*
Rivington Grammar School, 73*n*
Roane, *see* Rouen
Roberts, ——, 87
Robotham, *see* Rowbottom
Robsart, Amy, 57, 63
Rockburne, Hants, 109*n*
Rockby, *see* Rokeby
Roe, Row, Chris., 295**n*
Rogers, Edward, *als.* Nutteby, 67; John, 18; ——, servant, 67; Thomas, *als.* of Berden, Nicholas
Rokeby, Rookbie, Rockby, ——, 163, 249, 264
Rolls, Master of the, *see* Cordell, Sir Wm.; *see* Gerard
Rome, 4, 5, 40*, 67, 70**n*, 79, 80*, 81*, 83, 165, 167, 171*, 174, 175*, 177*n*, 179, 220*, 223, 224*, 225*, 236*, 238, 258, 285, 289*, 290**n*, 292**n*, 319, 323, 336, 339; Castel Sant' Angelo, 67; English Seminary at, 74*n*, 83, 84, 87, 308; St. Peter's, 168
Romford, Rumford, Essex, 125, 155, 156, 311, 351, 352; the Cock Inn at, 363
Romney, Rumney, Ant., 19, 153, 309, 310
Rookewood, Thomas, 39, 310*, 314*, 370, 377
Ros: N., *see* Roscarrock
Roscarrock, Nicholas, 71**n*, 72, 133**n*, 348, 349; Richard, 71*n*
Roscarrock in St. Endellion, Cornwall, 71*n*
Ross, Bp. of, *see* Leslie
Rossetto, Pietro Paulo, 254**n*, 278**n*
Rosyar, an attorney, 306
Rouen, Roane, 11, 58, 73, 78, 79, 80, 84, 86, 87*, 94, 96*n*, 145, 343*; Convent of Sion at, 78
Row, *see* Roe
Rowbottom, Roebottom, Robotham, ——, 79, 121
Rowland, *see* Verstegan
Rue, M. la, *als.* of Samarie, Henri
Rumford, *see* Romford
Rumney, *see* Romney
Rusheton, Edward, 135, 293, 294**n*
Russell, Edw., Earl of Bedford, 99
Ruthven, The raid of, 40
Rutland, Earl of, *see* Manners, Roger

Sackville, Lady Margaret (*olim* Howard), sister, 7, 18, 43*, 44*, 45, 47, 80*n*, 87, 99, 109*, 116*n*, 123, 131**n*, 142, 149, 150, 155, 239, 269, 279**n*, 280, 311, 322, 349, 369, 370, 372, 373, 377; Robert, Earl of Dorset, 131*n*, 322; Thomas, Lord Buckhurst and Earl of Dorset, 43, 139, 149, 150, 250, 265, 273, 284, 310, 331, 345*, 346, 347; Robert, later Earl of Dorset, brother-in-law, 370, 375
Sadler, Sir Ralph, 338; ——, 164
Sadlery, Vincent, 18
Saffron Walden, Essex, 349
St. Bartholomew's Eve, 26
St. Endellion, Cornwall, 71*n*
St. John of Bletsho, John, Lord, 250, 265, 274, 284
St. Omers in Artois, 80, 87*n*, 329
Salesbury, Thos., conspirator, 145, 341
Salisbury (Sarum), 161, 162
Samerie, Henri, S.J., *als.* M. la Rue, 112
Sanders, Nicholas, 135, 236*, 245, 276, 285, 290**n*, 291
Sandes, Sandys, Wm., Lord., 250, 251*, 265, 274, 284; ——, Clerk of the Crown, 233, 238, 264*, 265, 266*, 273, 287; Mrs., 249, 251*, 252, 263
Sandonel, *see* Southwell
Santander, 166
Saunderson, Saundirson, John, priest, S.T.D., 74**n*
Savage, John, conspirator, 73*n*, 145, 236, 267, 277**n*

Saville, George, Marquis of Halifax, 151*n*
Savoy, 84
Scotland, Ambassador for, *see* Gray; King of, *see* James VI; Queen of, *see* Stuart, Mary
Scott, Anne, *see* Meanys; Munford, 344
Seabarrow, *see* Cubiare
Searson, *see* Sherson
Sebeaveo, *see* Cubiare
Sebvro, *see* Cubiare
Seceson, *see* Sherson
Secretary of State, *see* Walsingham
Sega, Archbp., papal legate, 78
Seville, 130*n*
Seymour, Edward, Earl of Hertford, 250, 265, 274, 284; Frances (*olim* Howard), Countess of Hertford, 309, 385
Shakespeare, Wm., 42*n*, 132*n*; his mother, 132*n*
Sharburne, *see* Sherborne
Sharpe, ——, 10
Shawe, ——, priest, 344
Shearing, Jn., 311
Sheldon, ——, 121
Shelley, Richard of Michelgrove, 25, 42, 71**n*, 72*, 73*, 76*n*; Sir Thomas, 25; William, 44*, 71**n*, 74, 75, 79**n*, 90, 126, 127, 128*, 130**n*, 131**n*, 132, 136, 161, 176*, 189**n*, 190**n*, 191*, 192*, 194, 195, 208, 213*, 260, 261, 286*, 298*; ——, 120, 121**n*
Shelley, Suffolk, 39*n*
Shelton, Mary, 164; ——, Gentleman Porter of the Tower, 265, 274; ——, 75, 250, 263
Sherborne, Sherburne, Sharburne, Henry, 39, 131
Sherson, Searson, Seceson, Martin, Confessor, 164**n*
Sherwin, Bd., Ralph, priest, martyr, 32
Sherwood, Rd., *als.* Carlton, 89*, 90**n*, 91*
Shirley, Sir Thos., 25, 53*, 55; George, 380*
Shrewsbury, Earl of, *see* Talbot; Countess of, *see* Talbot; *see* Hardwick
Shropshire, 75*
Shuttleworth, Serjeant, 236, 238, 239, 249, 267*, 277*, 285
Sibley, ——, waiter, 194, 208
Sibley's maid, 194
Sidney, Sir Philip, 22, 117
Sikes, *see* Stroughton
Silesden, Fr. Henry, 349
Simancas, 167
Simpson, Sympson, Bryan, 19
Sittingbourne, 1
Sixtus V, Pope, 17**n*, 78, 84, 86, 87*, 138, 141, 164, 166*, 168*, 173, 174*, 175*, 176, 180*n*, 184*, 193*, 215*, 218, 222, 228*, 229, 230, 231, 232, 236, 238, 239, 240*, 244*, 251, 253, 255, 258**n*, 267*n*, 268, 270*n*, 272, 275, 276*n*, 278*, 282*, 285*, 292, 295*, 301, 302, 303
Skynner, Mr., 311
Skypwith, gaoler, 10, 15
Smith, Thomas, 115*n*, 281; Thomas, butler, 257*n*; ——, priest, 344; *see* Smyth
Smithfield, 94
Smyth, Dr., 308–309*; Thomas, 39; *see* Smith
Snape, Edw., groom, 44*
Snowdon, John, 176, 177*n*, 178, 186, 188, 193*, 194*, 195–196, 200, 208*, 261, 288
Somerfield, *see* Somerville
Somerset, Francis, 136; illegitimate son of, 136; Thomas, 126, 130, 131, 136*, 137; illegitimate son of, 136
Somerset House, 35*n*
Somerville, Somervyle, Somerfield, Elizabeth, 132*n*; John, 41, 42**n*, 132*n*, 294**n*; Margaret (*olim* Arden), 42*n*; 132**n*; Mistress, 132*n*
Sotherton, George, 313
Southampton, Earl of, *see* Wriothesley; Countess of, *see* Montague *and* Wriothesley
Southwell (? Sandonel), Family of, 318; Francis, 29*, 30*n*, 34; Sir Richard, 311; Robert, Martyr, S.J., 150, 154*n*, 215, 216, 296, 297, 298, 302*n*, 315–326 *pass.*, 351
Spa, Spawe, 79, 86, 87
Spain, 79, 81, 84, 343
Spanish Armada, 68, 86*n*, 166*; Ambassador, *see* Mendoza; Netherlands, 165*
Spawe, The, *see* Spa
Spencer, Alice, 89*n*; *see* Stanley; Sir John of Althorpe, 89*n*; Matthew, Serjeant-at-Arms, 249, 264, 274, 283
Stafford, Sir Edward, Eng. Amb. in France, 65, 81, 88*, 112
Stamp, ——, priest, 76, 95
Stanhope, Dr., 311
Stanley, Alice, Lady Strange, *olim* Spencer, 89**n*; *see* Strange; *see* Spencer; Ferdinando, Lord Strange, 89**n*; Helen (Leybourne, *née* Preston), Lady Monteagle, 52; Henry, Earl of Derby, Lord High

Steward, 42*n*, 172, 219, 233*, 235, 238, 243, 246, 248*, 249*, 252*, 263*, 264*, 265, 266, 267, 271*n*, 272, 273*, 274, 283*, 287*, 288*, 300, 302, 324, 343, 347; Thomas (? Henry), 139; Sir Wm., 167, 172, 339; ——, 213
Stansby, Stansbie, Stavye, Richard, 153, 194, 195, 202*n*, 208
Star Chamber, Court of, 138, 363
Staughten, *see* Stoughton
Stavye, *see* Stansby
Sterling, shipmaster. 76
Stevens, Rd., priest, 34*n*
Stirling, 78
Stocker, *see* Stoker
Stoker, Stocker, Stowker, George, 189*n*, 208, 307*n*, 313
Stokes, ——, priest, 86
Stoughton, Staughten, John, 189*n*; (?) Sikes, 213
Stowker, *see* Stoker
Strainge, Roger, 6
Strancham, *see* Transome
Strange, Lady, *see* Stanley; Lord, *see* Stanley
Strange, Le, Lady, 19; Le, Sir Nicholas, 19
Stuart, Esmé, Duke of Lennox, 40*, 84, 294*, 295*n*; John, pretender, 67; Mary, Queen of Scots, 3, 8, 32, 40, 41, 42*, 46, 47,* 52, 58*, 60, 64, 68, 79, 80*n*, 82, 88*n*, 111, 112, 113, 122, 123*, 127*, 131, 137, 145, 146*, 147*, 148, 150, 156, 157, 165*, 168, 176, 217*, 248, 256, 258*n*, 268, 270*n*, 285, 286, 288–295 *pass.*, 299, 301, 302, 335, 336, 341*, 343, 344*, 353, 363
Stubbs, John, 57
Surrey, Earl of, *see* Howard
Suffolk, 380; Earl of, *see* Howard, Thomas
Sussex, 93, 380; Earl of, *see* Radcliffe
Usted Rectory, 376
Sutton, Robert, *als.* Dudley, Earl of Leicester, 59; Sir Thomas, 350; ——, priest, 94
Sweet Heart Abbey, *see* New Abbey
Swynnerton, 94*n*
Sydney, Thomas, 2*n*; *see* Sidney
Sympson, *see* Simpson

T . . . John, 134
Talbot, "Bess of Hardwick," Countess of Shrewsbury, 66; George, Earl of Shrewsbury and keeper to Queen of Scots, 22, 42*n*, 66, 148; Gilbert, afterwards Earl of Shrewsbury, 22
Tarragona, Bp. of, *see* Yepez
Taylor, ——, 94
Tempest, Rbt., 343
Tempesti, Casimir, 175
Temple, Sir Wm., 26*
Thames, River, 341
Theobalds, 160*n*
Thetford, 312
Thorney, Thornley, Doughty, 280*n*; Minister, 47*
Thornley, *see* Thorney
Thorpes, Henry, 344
Throckmorton, Throgmorton, Francis, 40, 41*, 43, 51*n*, 52, 67, 68, 70, 76, 79*n*, 86, 119, 120, 121*, 126, 236*, 238, 254*n*, 267, 270, 277, 278*n*, 285, 294*, 341, 343; Sir Nicholas, 65; Thomas, 77, 78*, 79*, 80, 81*, 83; Widow, 76; ——, 92
Throgmorton, *see* Throckmorton
Tichbourne, Chidiock, conspirator, 145
Tichmor, *see* Tuchenor
Tilbury, 72, 166, 213*n*
Tippinge, James, 186, 188, 189*, 190*n*, 193, 194*, 195, 208, 213, 260, 286, 345*, 356
Token, John, 19
Tompson, Mr., auditor, 164
Topcliffe, Richard, informer, 21*n*, 131, 164, 322
Torture, 130*n*
Toulouse, 33*n*
Tower, *see* London Prisons; lieutenant of, *see* Hopton, Sir Owen, *see* Blunt
Townshend, family of, 33; Henry, 381; Lady, 75; Sir Roger, 34*, 35*n*, 36*, 38*, 39*, 131, 303, 376, 382; Roger, Esq., 370, 371, 372, 376, 377, 381
Transome, Strancham, Edward, *als.* Barber, martyr, 69*, 77*, 78*, 94*n*
Tremayne, ——, 75, 87
Tresham, Francis, 89; Sir Thomas, 76, 89; William, 83
"Trusty Roger," 332*n*
Tylney, Agnes, 39*n*; Charles, 39*n*, 125
Tymperley, Thos., 313
Tyrrell, Ant., priest, 96, 153*, 154*n*, 155*n*, 156, 199, 277*n*, 362–364; Eustace, 18
Tyrwhitt, Mary, 45*n*; Sir Robert, 45*n*
Tytchborne, *see* Tuchinor
Tuchenor, Tuchiner, Tytchborne, Anthony, 165*n*, 176, 181*, 186*, 188, 189*n*, 194, 195, 208, 213, 261, 286, 355*
Tumber, ——, priest, 162
Twine, Twyne, Wm., 194, 195

Udal, *see* Ithell
Uxendon Farm, Harrow, 146

Valladolid, English College at, 70
Vallenger, Stephen, 33, 65*n*, 142*n*, 184*, 241, 256**n*, 267, 278**n*, 337, 338, 342
Valois, Francois de, Duc d'Alençon and d'Anjou, 23, 28, 78
Vandermast, Jacob, 164
Vannietico, *als.* Martinningo, And., 165, 345, 346
Vannor, Thomas, Tower keeper, 348
Vaux, Henry, 76*, 94**n* ; Thomas, Lord, of Harrowden, 76*, 94**n*
Vavasor, *als.* of Almond
Venetians, The, 84
Vere, de, Cecil, Countess of Oxford, 66, 170*n* ; Edward, Earl of Oxford, Lord Chamberlain, 6, 7, 22*, 29* 36 *pass.*, 66, 99, 184**n*, 248, 265, 274*, 283, 313*, 338*, 343 ; family, 33
Vere, Sidrach, servant, 119, 125, 370, 377
Verstegan, or Rowland, Richard, 315*, 329
Vice-chamberlain, *see* Heneage
Vyxe, *see* Dyx

Waad, Sir Wm., 175, 176*, 177, 182*n*, 184*n*, 187, 196, 198, 201*, 203*, 204*, 205, 207, 209, 210, 214, 216*, 217*, 236, 262*n*, 268*n*, 340 ; his father, 176
Walden, Essex, 16, 18*
Walden Priory, 350
Walgrave, Wangrave, Wetgrave, servant, 119, 131 , 280 ; Earl, 256**n*
Walker, Mr., 95
Walpole, Henry, priest, 324, 325
Walshe, Sir Patrick, 307
Walsingham, Sir Francis, Secretary, 29, 33, 40, 41, 43*, 46, 50*, 56*, 57*, 59*, 66, 67*, 68*, 69*, 71, 72, 73*, 77, 78, 83*n*, 85*n*, 86**n*, 87, 88*n*, 90**n*, 91*n*, 92*, 93*, 95, 113*n*, 115*, 116*, 118, 120*, 121, 122, 124, 128, 129*, 131*, 134, 135, 137, 138*, 145, 146*, 148*, 150, 155*n*, 161, 165, 169*, 170*, 177**n*, 181, 201, 217, 218*, 219, 240*, 243*, 244, 263, 276, 281, 283, 285, 286*, 298, 306, 307*, 309*, 337, 338, 350, 365
Walton, 123
Walton, Robert, 343*, 344 ; Mr., 244*, 262**n*, 272**n*, 277, 286, 288
Wangrave, *see* Walgrave
Ward, Mary, 349 ; Richard, 22
Warminghurst, 71*n*
Warneford, Oliver, 88
Warr, Mr., 307*
Warr, de la, Wm., Lord, *see* West
Warwick, Lord, 343
Waterford, 306
Watson, bailiff of St. Katherine's, 288 ; Wm., priest, 174**n*, 175
Watten, 349
Wattes, servant, 94
Weane (? Wemme), 381
Webb, Laurence, D.D., 83
Weeks (? Wilks), Mr., 88
Weldhall, Essex, 157, 364
Wells, Peter, 194, 195, 208
Wells Cathedral, Prebendary of, *see* Bell
Wemme, Shrops. (? Weane), 349, 380
Wentworth, Henry, Lord, 250, 265, 274, 284
West, Lady, 95 ; Thomas, 18, 162 ; William, Lord de la Warr, 25, 250, 265, 273, 274, 284 ; Mr., 278
West Horsley, in Surrey, 356
West Indies, 166
Westmoreland, Earl of, *see* Nevill
Westminster, *see* London
Weston, Edward, D.D. 308 ; ——, 257*n*, 278 ; Robert, 308*, 309, 315 ; Wm., *als.* Edmonds, priest, S.J., 70*, 76, 77, 84, 89**n*, 90, 96**n*, 97, 98*n*, 141, 153, 154**n*, 155, 164**n*, 176, 221, 226, 236, 251, 255, 256, 267, 268**n*, 269, 275, 278**n*, 279**n*, 285, 308, 319*, 321*, 325*, 331, 340, 343, 350
Wetgrave, *see* Walgrave
Whistler, Laurence, 348
Whitaker, Wm., Calvinist, 32 ; Mr. 344
White, Dorothy, 193, 196**n* ; Edward, 194, 208 ; John, bp. Lincoln, 27 ; Victor, 307 ; Wm., 306 ; ——, 163
Whitefield, Whytefeeld, Matthew, 19
Whitgift, John, prot. Dean of Lincoln, *then* bp. of Worcester, *then* Archbp. of Canterbury, 21, 96, 139, 154, 172*, 205–206, 210*, 283*n*, 310, 319, 351
Whitney, Whytneye, Thos., 18 ; Robt., 381
Whyte, Sir Nicholas, 345, 347, 348
Whytefeeld, *see* Whitefield
Whytneye, *see* Whitney
Wid, Thos., *see* Widmerpool
Widdrington, Thos., 349
Widmerpool, Robert, 349 ; Thomas, 71*n*, 348–349
Widmerpool, 349*
Wigges, Wm., priest, 164**n*
Wight, Isle of, 111, 352 ; Governor of Isle of, 111
Wilgrave, *see* Walgrave
Wilks, *see* Weeks
Williams, Philip, 345, 347, 348 ; Sir Thomas, 347

Willoughby, Charles, Lord Willoughby, of Parham, 35*, 36*, 250, 265, 274, 284; family, 33; Lord, *see* Bertie
Willoughby House, 35**n*
Willson, Thomas, priest, 74**n*
Wilson, Dr., Commissioner, 10; John, priest, 329
Winchester, 73, 189*n*, 341; bp. of, *see* Cowper; Marquess of, *see* Paulet; Prison, 88
Winckefield, *see* Wingfield
Windsor, Edward, conspirator, 145; Henry, Lord Windsor, 22*, 140*n*, 164
Wingfield, Winckefield, Francis, gentleman usher, 233, 235, 263, 264, 265, 274, 349
Wisbech, Wisbich, 189*n*, 196*, 319; Castle, 90*, 240, 341; Prison, 70*n*, 77*n*
Wiston, Sussex, 52, 53, 56*, 255*n*
Wolferstan, apothecary, 344
Wolley, Wollye, Sir John, 310, 345*, 346*, 347; Secretary, 249, 264
Wood, Roger, Serjt. at Arms, 249, 263, 264
Woodward, John, 343
Woolton, John, bp. of Exeter, 133
Wootton, ——, 77
Worthington, Thomas, Dr., 91*n*
Wray, Sir Christopher, Ld. Ch. Justice, 249, 252*n*, 264, 284, 337, 370, 377
Wright, ——, 344; his son, 344
Wriothesley, Henry, Earl of Southampton, 26, 34*n*, 66, 104; Mary Montague, Countess of Southampton, 66
Wrote, Robert, 311
Wycliffe, Wicliffe, ——, 120, 121, 122
Wylford, Mr., 76*
Wylkes, Sir Thomas, 118, 123*, 126*, 127
Wynstone, Roger, 306

Yardley, Roger, *als.* Bruerton, 67*, 71, 73**n*, 80, 87*, 164**n*
Yates, Hugh, 94
Yelverton, Sir Henry, 176; MSS. collection, 176, 177
Yepez, Diego, bp. of Tarragona, 338
York, 62**n*, 189*n*, 341; Archbp. of, *see* Heath; Archdiocese of, 74*n*; Ld. President of, 312
Yorke, Rowland, 137
Young, Richard, Justice, 86, 154*, 155*, 156, 163, 165, 201, 260–261, 288; Simon, 162

Zealand, 149
Zubiaur, *see* Çubiare

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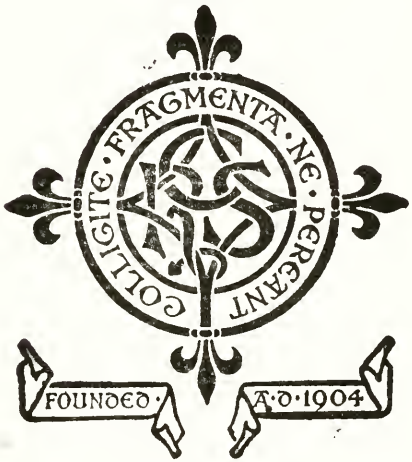
Henry Fitzalan Howard 15th Duke of Norfolk
second President of the Catholic Record Society.

Before report. Each Rec. Soc.

THE FOURTEENTH REPORT

OF THE

Catholic Record Society



PRESENTED TO THE ANNUAL GENERAL MEETING AT ARCHBISHOP'S HOUSE, WESTMINSTER,

on

WEDNESDAY, JULY 17, 1918

Together with the Roll of Members, the Constitutions, &c.

Constitutions

1. *Name.* The name of the Society is "THE CATHOLIC RECORD SOCIETY."

2. *Objects.* The objects are the transcribing, printing, indexing, and distributing to its members the Catholic Registers of Baptisms, Marriages and Deaths, and other old Records of the Faith, chiefly personal and genealogical, since the Reformation in England and Wales.

3. *Management.* The affairs of the Society are managed by a Council consisting of twelve members and four honorary officers, viz., The Recorder, Bursar, Legal Adviser and Secretary—four forming a quorum. It has power to appoint a President and Vice-Presidents, its Chairman and Officers, and to fill vacancies on its own body, and has power to refuse or take away membership. One-third of the twelve members and all the honorary officers retire each year, but are eligible for re-election. Nominations of New Members of the Council must be sent to the Secretary fourteen days before the Annual Meeting. The representation and management are reserved to Catholic Members.

4. *Subscription.* The subscription is one guinea per annum, which entitles members to the publications for the year, but the names of any members whose subscription shall be two years in arrears will thereupon be removed from the Society, and not be readmitted until all arrears are paid.

Subscriptions are due on June 1 in each year, and no work is issued to any member whose subscription is unpaid. A member wishing to retire from the Society must intimate his intention to the Bursar or Secretary before the 1st day of June, or be held liable for his subscription for the ensuing year.

Personal Life-Membership may be obtained on payment of twenty guineas in advance. Members who have paid subscriptions for ten consecutive years and who are not in arrear may obtain the same privilege on payment of ten guineas. All life subscriptions are to be capitalized.

5. *Privileges.* The members are entitled to the Volume or Volumes printed for the year of subscription, no Volume being issued to any member whose subscription is unpaid. They may also, on prepayment, obtain back numbers (if in stock) on such terms as the Council may direct.

6. *Meetings.* An Annual Meeting is held in the month of June or July, of which at least seven days' notice is sent to all the members. At this meeting a report of the work of the Society, with a statement of the income and expenditure, is presented. This is issued together with the list of members and the Constitutions of the Society.

7. *Audit.* The Bursar's accounts are audited by a member of the Society appointed by the Council, at the close of the financial year, which expires on May 31.

N.B.—The Bursar deals with Membership and Subscriptions.

The Catholic Record Society

FOUNDED JUNE 10, 1904

PATRONS

His Eminence the Cardinal Archbishop of Westminster
The Most Rev. the Archbishop of Birmingham
The Most Rev. the Archbishop of Liverpool
The Most Rev. the Archbishop of Cardiff, O.S.B.

PATRON AND PRESIDENT

His Eminence Cardinal Gasquet, O.S.B.

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Alderman Sir John Knill, Bart., K.C.S.G.
Henry Farnham Burke, Norroy King of Arms, C.V.O., C.B., F.S.A.

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V. Rev. Canon Burton, D.D.
George F. Engelbach
Sir Henry Jerningham, Bart.
Rev. John H. Pollen, S.J.
Marquis de Ruvigny
Major Francis J. A. Skeet
John P. Smith, J.P.
V. Rev. Canon Sutcliffe, M.A.
Major R. Trappes-Lomax
George C. Williamson, Litt.D.

Honorary Officers (*On Council ex officio*)

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Joseph Gillow

Hon. Legal Adviser
Charles J. Roskell

Hon. Bursar
Leonard C. C. Lindsay, F.S.A., 18 Grosvenor Mansions, 82 Victoria Street, Westminster, S.W.1

Hon. Secretary
Joseph S. Hansom, 110 Palace Gardens Terrace, Kensington, W.8

Bankers
Messrs Coutts and Co., 440 Strand, W.C.2

FOURTEENTH ANNUAL REPORT

THE continuance of the great war inevitably causes delays in work like ours, as previous reports testify. Difficulties naturally increase, and call for no further comment. The work of some similar societies is practically held up; and it is some satisfaction to state that we continue to make some progress. It would be a mistake to undertake now the amount of work done in normal times, as prices are abnormal, and money would be better spent when larger results for it can be obtained. It is possible that we may have to deny ourselves some of the superficial embellishments of the volumes, such as gilding; and members may have to console themselves with the appearance of *War Volumes*. What cannot be obtained cannot be used. Enough of the old paper has been secured for the next two volumes; but after that some excellence may be lost.

Since the last general meeting Volume xix only has been issued. The contents have been much appreciated, containing as they do records of the English Benedictine nuns at Ghent and Preston before they settled at Oulton, contributed by the Lady Abbess Ward; those of St Gregory's College at Paris, by Canon Burton, with portraits of six of the Presidents; and the Registers kept in London by three Franciscans, with a large instalment of the Registers of old Lincoln's Inn Fields Chapel. These four Registers, occupying the larger part of the volume, have been supplied by the assiduous labour of Monsignor Lindsay, to whom the Society is much indebted, as well as to Miss Harting for her historical notes about Lincoln's Inn Fields mission. We have, in addition, to thank Mrs Martin for her valuable work on the seventy-two pages of Index.

Monsignor Lindsay has kindly undertaken another great work—the Registers of Warwick Street chapel, which ought to be of equal interest, going back to 1748. These old embassy chapel registers contain not only the names of London people, but many from the provinces, Ireland and Scotland, and also from the Continent, whilst many of their descendants would migrate to our colonies and the United States.

Besides two volumes in hand it is hoped to start shortly the Seventh Douay Diary, which has unfortunately been delayed by the illness of Canon Burton, and the extra work thrown on his shoulders, owing to the staff of St Edmund's College being depleted by so many of its priests becoming military chaplains.

Instead of a Volume on "Howard Martyrs" it has been decided to limit the collection to Philip Howard, Earl of Arundel, there being even so enough material for a fair sized book.

We have to record with regret the loss of five members by death. The Right Rev. Edward Thomas O'Dwyer, the distinguished Bishop of Limerick, was an early and welcome supporter from the Sister Isle; Mr Richard Marsh Carr; the Very Rev. John Canon Caswell; and the Hon. Mrs Bryan Stapleton, who took great interest in Catholic matters in her own county of Yorkshire, and also in those of Oxfordshire, being the author of "Post-Reformation Catholic Missions in Oxfordshire," a book most useful for reference.

Only as this report was going to press has word arrived of the death on 4 Sept. 1916, of Mr Raphael T. Semmes of Savannah, who was much interested in his Recusant ancestors in England.

Two late members have also to be regretted,—Mr Francis Albert Romuald Langton, who was the forty-sixth Founder and a regular attendant on the Council for twelve years; and the Rev. George Edward Phillips, author of "The Extinction of the Ancient Hierarchy," and, jointly with Dom Bede Camm, of "English Martyrs."

Resignations have been received from four members, and one name has been removed, bringing the losses to ten.

For such times a gain of twelve new members as against six last year, must be considered satisfactory. They include the Duchess of Norfolk and Mrs Eyston, who continue their husbands' subscriptions; two who inherit deceased members' volumes, one being Wimbledon College; also one member rejoined.

The net gain of two brings the membership to three hundred and sixty.

Eight became life members during the year.

The Very Rev. Robert Bracey, Prior, O.P.; The Marquis of Ruvigny; The Very Rev. William Ormond Canon Sutcliffe, M.A.; and Dr George Charles Williamson retire from the Council by effluxion of time.

INVESTMENT ACCOUNT.

DR.		£ s. d.	£ s. d.	CR.		£ s. d.
1917				1917		
June 1	Invested in Consols . .	420 7 3		June 1	Purchase £500 Consols	420 7 3
	,, War Loan . .	332 10 1	752 17 4		(Value, May 31, 1918, £280)	
1918					Purchase £350 War Loan 5% Bonds (1929–47) .	332 10 1
May 31	8 Life Subscriptions at £10 10s.		84 0 0		,, £50 War Loan 5% Bonds . .	46 0 6
					Balance to be Invested	37 19 6
			£836 17 4			£836 17 4

INCOME AND EXPENDITURE ACCOUNT.

DR.		£ s. d.	£ s. d.	CR.		£ s. d.
1918				1918		
May 31	295 Subscriptions for 1917–18	309 14 10		May 31	Emery Walker, Illustrations, Vol. XIX . .	85 8 2
	10 ,, 1918–19	19 19 0			Whitehead & Son, printing Vol. XIX . .	202 6 11
	23 ,, 1916–17	24 3 0			Straker & Smith, binding and packing Vol. XIX	39 12 6
	2 ,, 1915–16	2 2 0			,, postage, Vol. XIX . . .	9 2 9
	1 ,, 1914–15	1 1 0	356 19 10		W. Austin, stationery	4 5 3
	Back Numbers . . .	9 16 0			Whitehead & Son, Annual Reports . . .	15 12 8
	Donations: W. Farrer . .	1 15 0			Reporter, Annual Meeting	1 1 0
	Lord Vaux . .	1 1 0			Hon. Secretary, honorarium	50 0 0
	C. D. G. Riddell .	1 1 0	13 13 0		,, petty cash (in hand £3 14s.) .	15 0 0
	Interest on Deposit . .	8 14 7			Hon. Bursar for advertisements . . .	2 5 5
	Dividend on Consols . .	9 7 8			,, place of meetings . . .	2 2 0
	,, War Loan . .	12 6 9	30 9 0		,, postage and stationery . .	1 19 7
	Total Income for the Year .		401 1 10		Paid to Investment Account	1 1 0
	Balance, June 1, 1917 . .		326 7 4		Total Expenditure for the Year . .	429 17 3
			£727 9 2		Balance	297 11 11
						£727 9 2

BURSAR'S BALANCE SHEET.

DR.		£ s. d.	CR.		£ s. d.
1918			1918		
May 31	Balance from Investment Account . .	37 19 6	May 31	Balance on Deposit	150 0 0
	,, Income and Expenditure Account . .	297 11 11		,, Investment Account	37 19 6
				,, Current Account	147 11 11
		£335 11 5			£335 11 5

Examined and approved, June 11, 1918,
W. SHELDRAKE, *Hon. Auditor.*

LEONARD C. LINDSAY,
Hon. Bursar.

TRANSACTIONS
OF THE FOURTEENTH ANNUAL GENERAL MEETING

The Fourteenth Annual General Meeting of the Catholic Record Society was held at Archbishop's House, Westminster, by permission of the Cardinal-Archbishop, under the Presidency of His Eminence, on Wednesday the 17th July 1918.

There were also present: the Very Rev. Prior Higgins, C.R.L.; the Very Rev. Prior Bracey, O.P.; the Very Rev. Canon Sutcliffe; the Rev. Herbert Vaughan, D.D.; the Rev. J. H. Pollen, S.J.; Sir Henry Jerningham, Bart.; Mr G. F. Engelbach; Mr G. A. E. Hope; Mr C. J. Munich, K.S.G.; Mr Alfred Williams, J.P.; and Mr J. S. Hansom, Hon. Secretary.

Messages of regret were received from the President, Cardinal Gasquet; the Very Rev. Canon Burton; Mrs John Humble; Miss Edleston; Major Richard Trappes-Lomax, J.P.; Major Charles Vaughan, J.P.; Mr Henry Brierley, Hon. Secretary of the Lancashire Parish Register Society, with congratulations on the continuation of work in these times; Mr J. B. Wainewright; and Mr L. C. Lindsay, Hon. Bursar, unavoidably absent owing to his brother's illness.

Cardinal Bourne, in moving the adoption of the Report and Financial Statement, congratulated the Society on its steady and consistent work for many years, in spite of the vicissitudes of war time. The Society was one of those useful to the work of the Catholic Church, combining the labours of the laity and clergy, both secular and regular. The Report mentioned the possibility of members having to deny themselves some superficial embellishments, such as gilding, and quality of paper, consoling themselves with the thought that they were receiving war volumes. The latter point called for close attention, as all sorts of materials were now used in the making of paper. It might even be better to defer printing until after the war, even though there might be a certain amount of disappointment among the members at receiving their volumes with less regularity than in the past.

His Eminence asked for the earnest prayers of those present for Monsignor Lindsay, now seriously ill, whose strenuous work for the Society was known to all.*

Mr Williams seconded the adoption, and said it was a great gratification to those of his county of Monmouth, and South Wales generally, to find records of the sufferings for the Faith of their forefathers recorded. Mr Hobson Matthews' death was a great loss to the Society, as he took a great and intelligent interest in their local records and understood Welsh. He sincerely hoped that someone would be found to continue the history of the old missions, of which much interesting matter might still be obtained. He was pleased to find a substantial balance in the accounts, and hoped for an increase, putting the Society in as satisfactory position as any in the kingdom.

The proposal was carried unanimously.

* Since the meeting we have to deplore his death on 23rd July.—R.I.P.

The Rev. Dr Vaughan proposed, Mr Munich seconded, and it was resolved that the Very Rev. Canon Sutcliffe, the Very Rev. Prior Bracey, O.P., the Marquis of Ruvigny, and Dr Williamson be elected members of the Council for three years.

Prior Higgins, in moving a vote of thanks to the Council and officers, said that after all they had seen and read of the work done, it was only right to recognise the excellent workers in an excellent work, for services rendered, not merely to the Society but to the Catholics of England. That work helped them to understand better those who toiled in the past, and it was work which gave them hope for the future. Mr Munich seconded and it was resolved accordingly.

Fr Pollen, replying to the vote of thanks, said that one of the volumes in the press contained documents relating to Philip Howard, Earl of Arundel, in which their late President, the Duke of Norfolk, was much interested, but unfortunately had not lived to see completed. It would be out in a reasonable time. Previously very little had been known of the Earl, but the considerable amount of information accumulated was more than that of any other of our martyrs. They would see and realize his life and struggles, when everything seemed to work against him. Nearly all the papers came from hostile sources, but the work would show Philip Howard to be a very remarkable man, a man of great qualities, nobility, ability and courage, who played a most difficult part, not with the gift of eloquence, but with the gift of silence and courage.

Mr Munich questioned whether the Council might not consider it wise to defer the issue of any further volume beyond those in hand until after the war, as it would be a great pity to destroy the sequence of the fine collection by the addition of volumes made up of commoner materials.

Mr Hansom in reply said the same paper could not be obtained now, but there were others almost as good still to be had. Members might not be altogether satisfied to pay subscriptions and get nothing in return. To stop printing would be something like hanging it up, and that meant strangulation: and after the war everything would have to be started afresh. He thought it better to keep the machinery moving and not rusting, doing a fair amount of work, so that there should be no impression that there was any lapse in its progress.

Fr Pollen moved a vote of thanks to Cardinal Bourne for presiding and lending his Library for the meeting. The interest taken by one of His Eminence's authority and reputation to the Society, was a real assistance to the Society.

Prior Bracey, in seconding, announced that a volume dealing with another Howard, a great Dominican, Philip Thomas Cardinal of Norfolk, was in preparation. There were many interesting and quaint letters and documents in a large collection of Dominican annals.

The Cardinal-Archbishop said he always attached great importance to the Society's work, and never looked at the volumes without

finding matter of real interest. In his opinion the work would be of still greater importance when the present terrible days were over. The Catholic Church, its existence and activity, had been brought home to hundreds and thousands of Englishmen who had never thought about it in the past. In France, Belgium, Italy, and the East, what they had seen and heard had impressed them. Those were factors which turn men's minds with renewed interest to the existence of the Catholic Church, and to the work she has carried on since the beginning. If the progress of the Church is to be real and solid, it must be built to a large extent on an accurate knowledge of the events of the last 350 years. Few Englishmen can understand what the preservation of the Faith to our country has meant and cost, unless they realize that martyrs and confessors have suffered for it. His Eminence related that he had recommended a well-known man, a recent convert, to visit St Edmund's College: and he learned that the great impression made on his mind was, that where in other schools would be seen boards bearing the names of prize winners in cricket elevens and football teams, there at St Edmund's was a list of martyrs.

On account of the extreme importance of the right understanding of the history of the Church in this country, his Eminence thought that the work of the Catholic Record Society would have a vastly enhanced value and importance in the future; and, because of that, it was his very great pleasure to be associated with the Society in every possible way, and to give it such assistance and encouragement as his presence and following its activities might be able to afford.

The Cardinal then bestowed his blessing and the proceedings terminated.

PROGRESS

THE position of our Society as compared with other Record-printing Societies and the dates of foundation will be of interest. These Societies, even with a smaller membership, have done and are doing valuable work. They deserve more support.

1904	CATHOLIC RECORDS (1 June 1918)	360
1834	Surtees .. .. Limited to	350
1869	Harleian	254 ?
1888	British Records	194
1898	Lancashire Parish Registers	180 *
1904	Canterbury and York (Episcopal Registers) ..	171
1899	Yorkshire Parish Registers	158
1877	Harleian (Register Section)	164 ?
1898	Durham and Northumberland Parish Register Society .. .. .. Limited to	150
1885	Yorkshire Archæological (Record Series) ..	145

* *Exclusive of 32 Subscribers to Furness Registers.*

ROLL OF MEMBERS

F—Founders on June 10, 1904 *L*—Life Member

Libraries and other Institutions are to be found under Towns and Places. Those in the Metropolis are under London.

Members for the fourteenth year are retained below after resignation or death.

F Abbotsleigh, Rev. Mother Prioress, C.R.L., Newton Abbot, Devon.
Albany, New York, U.S.A.—New York State Library (J. I. Wyer, Jun., Director), *c/o Messrs G. E. Stechert, 2 Star Yard, Carey Street, W.C.2*
Ampleforth Abbey Library (Rev. P. Justin McCann, M.A., O.S.B., Librarian), Malton, Yorkshire.
Amycla, Rt Rev. (Dr Fenton) the Bishop of.—R.I.P.
Anderton, Mrs Ince, Palazzo Capponi, Hôtel des Trois Couronnes, Vevey, Switzerland.
Andrew, Mrs William Raeburn, Cathcart House, Cathcart Road, South Kensington, S.W.10
Antiquaries, Society of, see London.
Arundell of Wardour, The Lady, Wardour Castle, Tisbury, Wilts.
Ashburnham, Lady Catherine, Pembrey, Carmarthenshire.
Barrow Public Library (Charles W. Gabbatt, Librarian), Town Hall, Barrow-in-Furness.
Bartlett, Joseph Henry, 27 Redcliffe Gardens, South Kensington, S.W.10
Baterden, James Rae, 54 Brighton Grove, Newcastle-on-Tyne.
Bath, St John's Priory, South Parade (Very Rev. T. Leo Almond, O.S.B.).
Beaumont, The Lady, Carlton Towers, near Selby.
Beaumont College, Old Windsor, Berks., Very Rev. (William Bodkin) Rector, S.J.
Bedingfeld, Sir Henry Paston, Bart., J.P., Oxburgh Hall, Stoke Ferry, Norfolk.
Bedingfeld, Mrs Raoul, 27 Pont Street, S.W.1.
Belmont Priory, Rt Rev. the Cathedral Prior, O.S.B., Hereford.
Bergholt (East), Lady Abbess, O.S.B., St Mary's Abbey, near Colchester, Suffolk.
Berkeley, Robert V., J.P., F.S.A., Spetchley Park, Worcester.
Birmingham, Most Rev. (Dr Ilsley) Archbishop of, "Lawnside," Norfolk Road, Edgbaston, Birmingham.
Birmingham.—The Oratory (Very Rev. Richard Garnett Bellasis, Superior), Hagley Road, Edgbaston.
Birmingham Public Library (Walter Powell, Librarian), Ratcliff Place, Birmingham.
Birt, Rev. Henry Norbert, O.S.B., C.F., Ealing Priory, Charlbury Grove, Ealing, W.5
Blackburn Public Library (Richard Ashton, Librarian), Blackburn.
Blundell, Francis N., Crosby Hall, Blundellsands, Liverpool.
Bodleian Library, see Oxford.
Bodmin, St Mary's Priory, Very Rev. Prior (McElroy), C.R.L.

Bolton Public Library (Archibald Sparke, Librarian), Bolton, Lancashire.

Boothman, Edward Duncan, M.A., Compton Lodge, Kearsney, Dover.

Boston Public Library (Horace G. Wadlin, Librarian), Boston, Mass., U.S.A.

Boston, Mass., U.S.A.—New England Historic Genealogical Society (Wm. Prescott Greenlaw, Librarian), 9 Ashburton Place (*Messrs B. F. Stevens & Brown*).

F Bowden, Rev. Henry Sebastian, The Oratory, South Kensington, S.W.7

Bradford Public Library (Butler Wood, Librarian), Darley Street, Bradford.

F Brentwood, Rt Rev. (Dr Ward) Bishop of, Bishop's House, Brentwood, Essex.

F Brierley,* Henry, M.A., 26 Swinley Road, Wigan.

Brighton Public Library (Henry D. Roberts, Librarian), Church Street, Brighton.

Bristol Central Library (Edward Robert Norris Matthews, F.R. Hist. S., Librarian), Bristol.

British Museum, see London.

F Britten, James, K.C.S.G., 41 Boston Road, Brentford.

Brown, Very Rev. William Canon, Old Elvet, Durham.

Buckfast Abbey, Rt Rev. Abbot (Vonier) of, O.S.B., Buckfastleigh, Devon.

Burke, Henry Farnham, C.V.O., C.B., Norroy King of Arms, Heralds' College, Queen Victoria Street, E.C.4

F Burton, Very Rev. Edwin Hubert Canon, D.D., F.R.Hist.S., President, St Edmund's College, Old Hall, Ware, Herts.

F Burton, Rev. Harold, 22 George Street, Manchester Square, W.1

L Callaway, Rev. Thomas, St Mary's Presbytery, Chipping, Preston.

Calthrop, Miss Muriel M. C., 13 Maitland Park Villas, Haverstock Hill, N.W.3

Cambridge, St Edmund's House Library (Rev. Thomas L. Williams, M.A., Librarian).

Cambridge University Library (Francis J. H. Jenkinson, M.A., Litt.D., Librarian), Cambridge.

Cambridge, Massachusetts, U.S.A.—Harvard University Library, *c/o Messrs Allen & Son, Ld., 14 Grape Street, Shaftesbury Avenue, W.C.2*

Cambysopolis, Rt Rev. (Dr Butt) Bishop of, 22 George Street, Portman Square, W.1

Canadian Parliament Library, see Ottawa.

Canea, Rt Rev. (Dr Donnelly) Bishop of, Auxiliary of Dublin, St Mary's, Haddington Road, Dublin.

Canning, Joseph Herbert, Crindau, Newport, Monmouthshire.

Cardiff Public Library (Harry Farr, Librarian), Trinity Street, Cardiff.

Carnegie, John, B.A., Burwash, Sunbury, Middlesex.

Carr, Richard Marsh.—R.I.P.

Carus, Alderman Alexander, J.P., K.S.G., Hoddesden Hall, Darwen, Lancashire.

Cary-Elwes, Very Rev. Dudley Canon, All Souls' Rectory, Peterborough.

Catholic Reference Library, see London.

Chadwick, Rev. Alfred, Byerwood, Burnopfield, Newcastle-on-Tyne.

* Hon. Secretary, Lancashire Parish Register Society.

Charterhouse, see Parkminster.
Chicago, Ill., U.S.A.—Newberry Library, *c/o Messrs B. F. Stevens and Brown, 4 Trafalgar Square, W.C.2*
Chichester-Constable, Major Raleigh, J.P., Burton Constable, Hull.
F Chudleigh, Lady Abbess, O.SS.S., Syon House, Devon.
Clifton, Rt Rev. (Dr Burton) Bishop of, St Ambrose, Leigh Woods, Bristol.
F Codrington, Hon. Mrs, Crab Mill House, Ilmington, near Shipston-on-Stour.
Colwich, Rev. Mother Prioress, O.S.B., St Benedict's Priory, near Stafford.
Connolly, Rev. James C., St Joseph's, Bugle Street, Southampton.
Constitutional Club, see London.
Cosgrave, Very Rev. Lawrence Canon, V.F., St Augustine's Presbytery, Preston.
Cotton, Rev. John, D.D., M.A., St Mary's Presbytery, Kemp Street. Fleetwood.
Coulston, Henry Joseph, J.P., Hawksheads, Bolton-le-Sands, Carnforth, Lancashire.
Cowley Franciscan College, Very Rev. (Albert O'Dwyer) Prior, O.S.F.C., near Oxford.
Cox, Rev. George Bede, O.S.B., St Mary's Priory, Highfield Street, Liverpool, W.
Cox, J. Charles, LL.D., F.S.A., 13 Longton Avenue, Sydenham, S.E.26
Crank, Rev. Thomas, Mount Pleasant, Chorley.
F Crisp, Frederick Arthur, F.S.A., Broadhurst, Godalming, *and* 270 *Walworth Road, S.E.17*
F Culleton,* Leo, 92 Piccadilly, W.1
Culley, Rev. Matthew, Coupland Castle, Kirknewton, Northumberland.
Dalton, Llewelyn C., Law Courts, Georgetown, British Guiana, *c/o Rev. W. Dalton, Glynde Vicarage, near Lewes, Sussex.*
Day, Samuel Henry, 1 Pump Court, Temple, E.C.4
Delany, Rev. William, S.J., LL.D., St Ignatius's, 35 Lower Leeson Street, Dublin.
de Paravicini, The Baroness, Ashley Lodge, Abbey Road, Torquay.
F de Zulueta, Captain Francis, M.A., New College, Oxford.
Dolan, Very Rev. Oswald, V.F., C.F., St Mary's Rectory, Sheffield.
Douai Abbey, Rt Rev. Abbot (Hurley) of, O.S.B., Woolhampton R.S.O., Berks.
Downside Abbey Library (The Librarian), O.S.B., Stratton-on-the-Fosse, near Bath.
Dublin.—National Library of Ireland (Thomas W. Lyster, Librarian), Kildare Street.
Dublin.—Trinity College Library (Rev.T.K.Abbot,Litt.D.,Librarian).
Dunlop, Archibald Claud, M.A., K.S.G., 225 Almoner's House, St James's Court, Buckingham Gate, S.W.1
Ealing Priory, Very Rev. (T. Wulstan Pearson) Prior, O.S.B., Charlbury Grove, Ealing, W.5
Edinburgh, Rev. Mother Superior, St Margaret's Convent.
Edinburgh Public Library (Hew Morrison, Librarian), George IV Bridge, Edinburgh.
Edinburgh.—The Signet Library (John Minto, M.A., Librarian).

* Record Searcher and Heraldic Artist.

F Edleston, Miss (Alice), Gainford, Darlington, Durham.
L Edmondson, Hubert H., 64 Fishergate, Preston, Lancashire.
Edmondstoune-Cranstoun, C. J., J.P., Corehouse, Lanark, N.B.
Elgar, Sir Edward, O.M., Mus. Doc., LL.D., Severn House, 42 Netherall Gardens, Hampstead, N.W.3
Elwes, Gervase Henry, J.P., Billing Hall, Northampton.
Encyclopedia Press, Inc. (Conde B. Pallen, LL.D., President), 23 West 41st Street, New York City, U.S.A.
F Engelbach, George Frederick, 47 Manchester Street, Manchester Square, W.1
English Colleges, see Rome, Valladolid.
Erdington Abbey, Birmingham, Very Rev. (Francis Izard) Superior, O.S.B.
Exeter Royal Albert Memorial Library (H. Tapley-Soper, F.R.Hist.S., Librarian), Exeter.
Eyre, Stanislas Thomas, J.P., 60 Ennismore Gardens, S.W.7
Eyston, Mrs, Hendred House, Steventon, Berks.

Farrer, William, Litt.D., Hall Garth, Carnforth, Lancashire.
Ferrers, Mrs Henry Ferrers, 4 Clanricarde Gardens, W.2
Fitzherbert-Brockholes, William, J.P., Claughton-on-Brock, Garstang R.S.O., Lancs.
Fitzsimons, Frederick John, The Oaks, Altrincham, Cheshire.
Fitzwilliam, Lady Alice, 20 South Street, Park Lane, W.1
Fletcher, Rev. John, The Presbytery, Hillside Road, Streatham Hill, S.W.2
Foran, Charles, "Normanton," 72 Elm Grove, Southsea, Hants.
Fort Augustus Abbey, O.S.B., Inverness, The Librarian.
Fournier, Louis, 18 Rue Chazière, Lyon, France.
Freeland, Very Rev. John Canon, The Presbytery, Bedford.
Fulham Public Library, see London.

Gainsborough, The Earl of, Exton Park, Oakham, Rutland.
Gainsford, William D., J.P., Skendleby Hall, Spilsby, Lincolnshire.
Gaisford-St Lawrence, Julian Charles, J.P., Howth Castle, Dublin.
Gardner, Rev. John, The Rectory, Formby, Liverpool.
Gasquet, His Eminence Cardinal, O.S.B., Palazzo S. Calisto, Trastevere, Rome, Italy.
Gatty, Charles T., F.S.A., 47 Upper Grosvenor Street, W.1
Genealogists, Society of, see London.
F Gillow, Joseph, Westholme, Park Drive, Hale, Cheshire.
Glasgow, Most Rev. (Dr Maguire) Archbishop of, 160 Renfrew Street, Glasgow.
Glasgow.—Mitchell Library (Francis T. Barrett, Librarian), 21 Miller Street.
Glasgow University Library, *c/o Messrs James MacLehose & Son, 61 St Vincent Street, Glasgow.*
Glencross,* Reginald M., M.A., LL.B., F.S.G., F.R.S.A.I., 176 Worple Road, Wimbledon, S.W.19
Gorham, James J., M.A., M.D., J.P., 80 South Side, Clapham Common, S.W.4
Gray, Rev. John, St Peter's, Falcon Avenue, Morningside Road, Edinburgh.
Green-Armytage, R. N., The Shrubbery, Weston-super-Mare, Somerset.

* Record Searcher.

Guildhall Library, see London.
Guiney, Miss Louise Imogen, Grangeleigh, Amberley, Stroud, Gloucestershire.
F Hall, Very Rev. Francis John Canon, V.F., St Charles's Rectory, Jarrat Street, Hull.
Hammersmith Public Library, see London.
Hampstead, Convent I.B.V.M., see London.
F Hansom, Joseph Stanislaus, 110 Palace Gardens Terrace, Kensington, W.8
Harding, George, Book Store, 64 Great Russell Street, W.C.1
Harrow, Middlesex, Rev. Mother Superior, Visitation Convent.
F Harting, Miss (Johanna H.), 17 Avonmore Gardens, Kensington, W.14
Harvard University Library, see Cambridge, U.S.A.
Haverstock Hill, Dominican Priory, see London.
Hawke, Richard, Le Vieux Logis, Vauxbuin par Soissons, Aisne, France.
Hawkesyard Priory, Rugeley, Staffordshire, Very Rev. Prior, O.P.
Hayward, Very Rev. Francis M. Canon, St Mary's Rectory, Worksop.
Heditch, Rev. Joseph, The Convent, Tower House, Chiswick Lane, Chiswick, W.4
Heralds' College, see London.
Herries, The Lady, Everingham Park, York.
Hewins, William Albert Samuel, M.A., M.P., 98 St George's Square, S.W.1
Hodgson, Major Thomas Garstang, Mere Vale, Prestatyn, Flintshire.
Holden, Bernard Grant, Raglan, Green Hill, Derby.
Holden, Richard, K.S.G., J.P.,Woodfield, Clarence Street, Blackburn.
F Hook, Very Rev. Paul, Ph.D., President, St Mary's College, Holywell, North Wales.
Hope, Geoffrey Aloysius Eyton, Cavendish Club, 119 Piccadilly, W.1
Hornsey, Very Rev. (J. O'Leary, D.D.) Prior, C.R.L., Austin Canons, 12 Womersley Road, N.8
Howell, Mrs David, Rose Hill, Penzance, Cornwall.
Hull Public Library (William F. Lawton, Librarian), Albion Street, Hull.
Humble, Mrs John, Forebridge, Stafford.
Hunnybun, William Martin, M.A., 39 Leyborne Park, Kew Gardens, Surrey.
Hussey-Walsh, Valentine, 10 Avenue Marçeau, Paris, France.
Iles, Rev. Richard Augustine, Pro-Cathedral, Clifton, Bristol.
Jarrett, Very Rev. Bede, Provincial, O.P., M.A., S.T.L., St Dominic's Priory, Southampton Road, Haverstock Hill, N.W.5
Jarrett, James E. N. Radcliffe, 6 Elm Buildings, Elm Grove, Southsea, Portsmouth.
Jerningham, Sir Henry S., Bart., J.P., 89 Sloane Street, S.W.1
John Rylands Library, see Manchester.
Johnson, Humphrey John T., Oak Hurst, near Derby.
Jones, Sir Evan Davies, Bart., J.P., 6 Addison Road, Kensington, W.14
Kendal, Mrs, Brandreth House, Parbold, near Wigan, Lancs.
Kendal, Miss (Teresa), 214 Deepdale Road, Preston.
Kennard, Rt Rev.Monsignor Canon, "Westleigh", Burnham, Somerset.
Kensington Public Library, see London.
Kenyon, Major Joseph Robert, M.C., Gillingham Hall, Beccles, Suffolk.

F Keogh, C. George Neal, 12 Girdler's Road, West Kensington, W.14
Kerr, Admiral of the Fleet Lord Walter, G.C.B., J.P., 58 Cromwell Road, S.W.7
Kirby, Edmund, Overdale, Oxton, Birkenhead.
Klincksieck, Monsieur (for the Bibliothèque Nationale), Paris, *c/o Messrs Simpkin, Marshall & Co.*, 31 Paternoster Row, E.C.4
F Knill, Alderman Sir John, Bart., K.C.S.G., South Vale House, Blackheath, S.E.3

Lancaster Public Library (James M. Dowbiggin, Librarian), Storey Institute, Lancaster.
Langdale, Major Philip, J.P., Houghton Hall, Sancton R.S.O., Yorks.
Langtree, Rev. Richard, St Charles' Presbytery, Grange over Sands, Lancs.
Lanherne, Rev. Mother Prioress, O.C.D., St Columb, Cornwall.
Leeds, Rt Rev. (Dr Cowgill) Bishop of, Bishop's House, Leeds.
Leeds Public Libraries (Thomas W. Hand, City Librarian), Central Public Library, Leeds.
Leeming, Henry Heatley, Ashbury, Prescot Road, Hale, Cheshire.
Lindsay, Very Rev. Monsignor Claud Reginald.—R.I.P.
L Lindsay, Leonard C. C., F.S.A., 18 Grosvenor Mansions, 82 Victoria Street, Westminster, S.W.1
Lindsay, William Alexander, K.C., J.P., M.A., F.S.A., Windsor Herald, College of Arms, E.C.4
Liverpool, Most Rev. (Dr Whiteside) Archbishop of, Archbishop's House, St Domingo Road, Liverpool, N.
Liverpool Public Library (George T. Shaw, Librarian), William Brown Street, Liverpool.
Liverpool.—St Francis Xavier's, Very Rev. (Frederick Parry) Rector, S.J., Salisbury Street.
London.—Antiquaries, Society of, Burlington House, Piccadilly, W.1
London.—Bayswater, W.2—St Mary of the Angels (Very Rev. Francis M. Canon Wyndham, M.A., O.S.C.), Westmoreland Road.
London.—British Museum Library, *c/o Messrs Dulau & Co*, 37, *Soho Square, W.1*
London.—Catholic Reference Library (Miss Pauline Willis, Treasurer), 92 Victoria Street, Westminster, S.W.1
London.—Clapham, S.W.4—Our Lady of Victories, Very Rev. (Henry Campbell) Rector, C.SS.R., Clapham Park Road.
London.—Constitutional Club Library, Northumberland Avenue, W.C.2
London.—Fulham Public Library (Walter S. C. Rae, Librarian), 598 Fulham Road, S.W.6
London.—Society of Genealogists of (Constance Agnew, Secretary), 5 Bloomsbury Square, W.C.1
London.—Guildhall Library (Bernard Kettle, Librarian), The Guildhall, E.C.2
London.—Hammersmith Public Library (Samuel Martin, Librarian), Brook Green Road, W.6
London.—Hampstead, N.W.3—Rev. Mother I.B.V.M., St Mary's Convent, England's Lane.
London.—Haverstock Hill, N.W.5—Very Rev. (Robert Bracey) Prior, O.P., St Dominic's Priory, Southampton Road.
London.—Heralds' College (G. Woods Wollaston, Bluemantle, Librarian), Queen Victoria Street, E.C.4

London.—Kensington Public Library (Herbert Jones, Librarian), Kensington High Street, W.8, *c/o Messrs Farmer & Sons, Young's Library, 179 Kensington High Street, W.8*

London.—Kensington (South), S.W.10—Very Rev. (Austin Moore) Provincial, O.S.M., St Mary's Priory, 264 Fulham Road.

London Library (C. T. H. Wright, LL.D., Secretary and Librarian), 14 St James's Square, S.W.1

London.—"The Month" (Rev. Joseph Keating, S.J., Editor), 31 Farm Street, Berkeley Square, W.1

London.—Record Office Library, *c/o Superintendent of Publications, Book Department, H.M. Stationery Office, Princes Street, Westminster, S.W.1*

London.—Reform Club Library (W. R. B. Prideaux, Librarian), Pall Mall, S.W.1

London.—Stamford Hill, N.15—Rev. Mother General, O.S.M., St Mary's Priory, St Ann's Road.

London.—Westminster Public Library (Frank Pacy, Librarian), Buckingham Palace Road, S.W.1

Long, Rev. Henry, The Presbytery, Leighton Buzzard, Beds.

Longueville, Thomas, J.P., Llanforda, Oswestry, Salop.

Loughnan, Ignatius Hamilton, 383 Viale Giulio Cesare, Rome, Italy.

Lupton, Rev. Edward, Presbytery, South Shore, Blackpool, Lancs.

McCabe, Rt Rev. Monsignor Bernard J. Canon, V.G., St Hilda's Presbytery, Whitby.

MacGregor, Mrs, 12 Craven Gardens, Ealing, W.5

Madison, Wis., U.S.A.—Wisconsin State Historical Society (Reuben Gold Thwaites, LL.D., Librarian), *c/o Messrs Henry Sotheran and Company, 140 Strand, W.C.2*

Manchester Public Free Library (Charles W. Sutton, M.A., Librarian), King Street, Manchester.

Manchester.—John Rylands Library (Henry Guppy, M.A., Librarian).

Manresa House, Roehampton, S.W.15, Very Rev. (Charles Blount) Rector, S.J.

Martin, John, Clare House, Chessington Park, Liverpool.

Martin, Mrs John M. H., Wycollar, Blackburn.

Mawson, Joseph, F.G.S., 3 Upper Park Road, Hampstead, N.W.3

Maynooth, co. Kildare, Ireland.—St Patrick's College (Rev. Walter McDonald, D.D., Librarian).

Melbourne, Victoria, Australia.—Victoria Public Library (E. la T. Armstrong, Librarian), *c/o the Agent-General of Victoria, Melbourne Place, Strand, W.C.2*

Menevia, Rt Rev. (Dr Mostyn) Bishop of, Bishop's House, Wrexham, North Wales.

Meynell, Edgar, Old Elvet, Durham.

Middlesbrough, Right Rev. (Dr Lacy) Bishop of, Bishop's House, Middlesbrough.

Middlesbrough Public Library (Baker Hudson, Librarian), Middlesbrough.

Milner, Rev. Henry F., St Thomas of Canterbury, Windleshaw, St Helens, Lancashire.

Mitchell Library, see Glasgow.

"Month," see London.

Moorat, Samuel, 25 Pembroke Gardens, Kensington, W.8

Morgan, Sister, Aden, Winsford, Cheshire.

Moriarty, Vy Rev. Ambrose Canon, D.D., Bishop's House, Shrewsbury.

Mount St Bernard's Abbey, near Coalville, Leicestershire, Very Rev. (Lewis Carew) Superior, O.C.R.
Mount St Mary's College, near Chesterfield, Very Rev. (Arthur Collingwood) Rector, S.J.
Mumford, Charles E., 19 Ivanhoe Road, Liverpool.
Munich, Charles J., K.S.G., F.R.Hist.S., 8 Achilles Road, West Hampstead, N.W.6
Myerscough, Rev. Thomas, St Joseph's, Rigby Street, Preston.

National Library of Ireland, see Dublin.
Newberry Library, see Chicago.
Newcastle Public Libraries (Basil Anderton, Librarian), New Bridge Street, Newcastle-on-Tyne.
Newdigate, Alfred, M.A., 27 Clarendon Square, Leamington.
New England Historic Genealogical Society, see Boston.
New Hall, Rev. Mother Prioress, C.R.S.S., Chelmsford.
New South Wales Public Library, see Sydney.
New York Historical Society (Robert H. Kelby, Librarian), 170 Central Park West, New York City, U.S.A., (*Messrs B. F. Stevens and Brown*).
New York Public Library (J. S. Billings, Librarian), Aston Library Building, 40 La Fayette Place, *c/o Messrs B. F. Stevens & Brown, 4 Trafalgar Square, W.C.2*
New York State Library, see Albany.
Norfolk, The Duchess of, Arundel Castle, Arundel.
Northampton, Rt Rev. (Dr Keating) Bishop of, Bishop's House, Northampton.

O'Connor, Rev. Arthur, M.C., C.F., St Mary's Place, Bury, Lancashire.
O'Farrell, Rev. Francis, C.F., Catholic Church, Aldershot.
Ontario Legislative Library, see Toronto.
Oratory, see Birmingham.
Oscott College Library, near Birmingham.
Ottawa, Canada.—Canadian Parliament Library (A. D. Cellas, LL.D., and Martin J. Griffin, LL.D., Librarians), *c/o Messrs E. J. Allen & Son, Ltd., King Edward Mansions, 14 Grape Street, Shaftesbury Avenue, W.C.2*
Oulton, Lady Abbess of, O.S.B., St Mary's Abbey, Stone, Staffs.
Oxford.—The Bodleian Library (Falconer Madan, M.A., F.S.A., Librarian).
Oxford.—Campion's Hall (Rev. Charles Plater, S.J., Master).

Paine, Rev. Arthur H., M.A., 47 Manchester Street, Manchester Square, W.1
Parfitt, His Honour Judge J. J., B.A., K.C., Highwood, The Drive, Wimbledon, S.W.19
Paris.—Bibliothèque Nationale, see Klincksieck.
Parker,* Colonel John W. R., C.B., J.P., F.S.A., Browsholme Hall, near Clitheroe, Yorkshire.
Parkminster Charterhouse, Partridge Green, Sussex, Very Rev. (Peter M. Pépin) Prior.
Pauling, George Craig Saunders, The Lodge, Effingham, Surrey.
Pennsylvania Historical Society, see Philadelphia.
Pennsylvania University Library, see Philadelphia.

* President, Yorkshire Archæological Society (Record Series and Journal) and Yorkshire Parish Register Society.

Petre, Sebastian Henry, Tor-Bryan, Ingatestone, Essex.
Philadelphia, Pa., U.S.A.—Pennsylvania Historical Society, 1300 Locust Street, *c/o Messrs B. F. Stevens & Brown, 4 Trafalgar Square, W.C.2*
Philadelphia, Pa., U.S.A.—Pennsylvania University Library (Morris Jastrow, Jun., Librarian), 34th Street and Woodland Avenue.
Phillipson, Rev. William A., Winchmore, Westgate-on-Sea, Kent.
Pilley, Mrs Walter, The Barton, Hereford.
Plymouth, Rt Rev. (Dr Keily) Bishop of, Bishop's House, Cecil Street, Plymouth.
Pollen, Mrs Hungerford, 157 Victoria Street, S.W.1
F Pollen, Rev. John Hungerford, S.J., 31 Farm Street, Berkeley Square, W.1
Portsmouth, Rt Rev. (Dr Cotter) Bishop of, Bishop's House, Edinburgh Road, Portsmouth.
Portsmouth.—Central Public Library (James Hutt, M.A., Borough Librarian), Town Hall Square, Park Road.
Preston Free Public Library (W. B. Barton, Curator), Preston.
Preston.—St Ignatius', Rev. (John Ashton) Rector, S.J.
Princeton Theological Seminary Library (Rev. J. H. Dulles, Librarian), Princeton, New Jersey, U.S.A.
Quigley, Rev. Denis Joseph, San Gerardo, Cwmbran, Monmouthshire.
Radcliffe, Charles A. F., The Old Hall, Stackhouse, Settle, Yorks.
Ratcliffe College, Very Rev. (Joseph Cremonini) President, I.C., near Leicester.
Record Office Library, see London.
Reform Club, see London.
Reynolds, Colonel James Philip, J.P., Dove Park, Woolton, near Liverpool.
FL Riddell, Cuthbert David Giffard, J.P., Swinburne Castle, Barrasford, Northumberland.
Riddell, Edward Charles, J.P., Hermeston Hall, Oldcotes, Rotherham, *Kinwarton House, Alcester, Warwickshire.*
Riddell-Blount, Major Edward Francis, J.P., Cheeseburn Grange, Newcastle-on-Tyne.
Robertson, Charles, K.S.G., 31 The Drive, Hove, Sussex.
Robinson, Wilfrid Clavering, F.R.Hist.S., 1 St Luke's Road, Bayswater, W.11
Rochdale Public Libraries (R. J. Gordon, Librarian), Art Gallery and Museum, Rochdale.
Rochampton, Rev. Mother Superior, Sacred Heart Convent, S.W.15
Rome.—BIBLIOTECA APOSTOLICA VATICANA (*Honorary*). Rev.A.Ratti, Prefect, The Vatican.
Rome.—Library, Collegio Inglese, Rt Rev. (Mgr Horace K. Mann) Rector, Via Monserrato 45
L Roskell, Charles John, 6 Vicarage Gate, Kensington, W.8
Ruvigny, Marquis de, 15 Hanover Chambers, Buckingham Street, Strand, W.C.2
F St Beuno's College, St Asaph, Flintshire, Very Rev.(Alexander Keogh) Rector, S.J.
St Edmund's House, see Cambridge.
St Helens (Lancs.).—Holy Cross,Rev.(Frederick Bateman)Rector,S.J.
St Helens (Lancs.).—St Mary's, Lowe House, Rev. (Reginald Riley) Rector, S.J.
St Leonards-on-Sea, Rev. Mother Superior, Convent H.C.J.

F Salford, Rt Rev. (Dr Casartelli) Bishop of, St Bede's College, Manchester.
Sands, W. H. B., 15 King Street, Covent Garden, W.C.2
Scott-Gatty, Sir Alfred Scott, K.C.V.O., F.S.A., Garter Principal King of Arms, Heralds' College, E.C.4
Scrope, Henry Aloysius, Danby-on-Yore, Middleham S.O., Yorks.
Scrope, Stephen Francis Eustace, Duchy Court, Harrogate.
Semmes, Raphael Thomas.—R.I.P.
Servite Monastery, see London.
Sharrock, Very Rev. Thomas Canon, Bishop's House, Salford.
Sheffield Public Library (Samuel Smith, F.R.Hist.S., Librarian), Surrey Street, Sheffield.
L Sheldrake, Harry James, White Barn, Kelvedon S.O., Essex.
Sheldrake, James Ernest, Farm Hill, Kelvedon S.O., Essex.
L Sheldrake, Willie, White Barn, Kelvedon S.O., Essex.
Shrewsbury, Rt Rev. (Dr. Singleton) Bishop of, Bishop's House, 39 Beresford Road, Birkenhead.
Signet Library, see Edinburgh.
Skeet, Major Francis J. A., 8 Park Square, Regent's Park, N.W.1
" Stimmen aus Maria Laach," see Valkenburg.
Smith, Miss Ellen, St Peter's Gate, Lancaster.
Smith, Mrs. F. Yorke, Boughfield Cottage, Sidmouth, S. Devon.
F Smith, Alderman John Peter, J.P., Arndene, Barrow-in-Furness.
Smith, Richard, J.P., Greenfield House, Lancaster.
Smith, William Abbey, Rosebery Villa, Hutton Avenue, West Hartlepool.
Smith, William Bernard Stanislaus, J.P., Newsham House, Broughton, near Preston.
Stafford, Lt.-Col. the Lord, D.S.O., Swynnerton Park, Stone, Staffs.
Stamford Hill Convent, see London.
Stanbrook Abbey, The Lady Abbess, O.S.B., Worcester.
Stanfield, Very Rev. Raymund Canon, Convent of the Good Shepherd, Fulham Palace Road, Hammersmith, W.6
Stanley-Cary-Caddell, Mrs, Harbourstown, Balbriggan, co. Meath, Ireland.
Stapleton, Hon. Mrs Bryan.—R.I.P.
Stapleton-Bretherton, Frederick, J.P., The Hall, Rainhill, Lancs.
Stevenson, Rev. William, The Presbytery, Kendal.
Stockport Public Library (R. Hargreaves, Librarian), Stockport, Cheshire.
Stokes, Philip Folliott Scott, 6 Stone Buildings, Lincoln's Inn, W.C.2
Stonyhurst College, Blackburn, Very Rev. (Edwd. O'Connor) Rector, S.J.
Sumner, Francis G., J.P., Dene House, Kineton, Warwickshire.
F Sutcliffe, Very Rev. William Ormond Canon, M.A., 7 Howitt Road, Hampstead, N.W.3
Swarbreck, Edward Dukinfield, Bedale, Yorkshire.
Sydney.—New South Wales Public Library, *c/o Messrs Truslove and Hanson, 153 Oxford Street, W.1*
Talbot, Colonel The Rt Hon. Lord Edmund, Deputy Earl Marshal, M.V.O., P.C., D.S.O., M.P., 1 Buckingham Palace Gardens, S.W.1
F Tatum, Rev. George B., M.A., St Mary Magdalen's, Upper North Street, Brighton.
Taunton.—Rev. Mother Abbess, O.S.F., Franciscan Convent.
L Taylor-Smith, Mrs M. E. Piercey, Colpike Hall, Lanchester, co. Durham.

Teebay, Rev. George, The Rectory, Weld Bank, Chorley, Lancs.
Teignmouth, Lady Abbess, O.S.B., St Scholastica's Abbey, Devon.
Tempest, Mrs, Broughton Hall, Skipton-in-Craven, Yorkshire.
Thomas, Charles Edward, 13 Queen's Square, Bath.
Toke, Leslie A. St L., Stratton-on-the-Fosse, near Bath.
Toronto, Ontario, Canada.—Ontario Legislative Library (Avern Pardoe, Librarian), *c/o Messrs E. G. Allen & Son, King Edward Mansions, 14 Grape Street, Shaftesbury Avenue, W.C.2*
Torre Diaz, Countess de, 21 Devonshire Place, Portland Place, W.1
Trappes-Lomax, Miss, Clayton Hall, Accrington.
Trappes-Lomax, Mrs, Clayton Hall, Accrington.
Trappes-Lomax, Major Richard, J.P., Allsprings, Great Harwood, Blackburn.
Treowen, Major-General the Lord, C.B., C.M.G., Llanarth Court, Raglan, Monmouth.
Trinity College Library, see Dublin.
Trotman, John William, "Bromsgrove," Brentwood, Essex.
Turnbull, Philip Bernard, Egton, Penylan Road, Cardiff.
Turville-Petre, Colonel Oswald, J.P., B.A., Bosworth Hall, Rugby.
Urquhart, Francis Fortescue, M.A., Balliol College, Oxford.
Ushaw College Library, Durham (Rev. Edwin Bonney, Librarian).
Valkenburg, Limburg, Holland.—"Stimmen aus Maria Laach" (Rev. H. A. Krose, S.J., redacteur), Ignatius Kolleg.
Valladolid, Spain.—Very Rev. Rector, Colegio Ingles.
Vassall-Phillips, Rev. Oliver R., C.SS.R., C.F., Bishop Eton, Wavertree, Liverpool.
Vatican Library, see Rome.
L Vaughan, Major Charles Jerome, J.P., Courtfield, Ross, Herefordshire.
Vaughan, Col. Francis Baynham, K.C.P., J.P., Courtfield, Ross, Herefordshire.
Vaughan, Rev. Herbert, D.D., Mission House, Brondesbury Park, N.W.6
FL Vaux of Harrowden, The Lord, M.A., Harrowden Hall, Wellingborough, Northants.
Venturi, Rev. Pietro Tacchi, S.J., Via S. Nicola da Tolentino 8, Rome, Italy.
Victoria Public Library, see Melbourne.
F Wainewright, John Bannerman, 6 Grand Avenue, Hove, Sussex.
Wake, Philip Kenyon, Handsworth Grange, Sheffield.
Waldron, Rt Hon. Laurence Ambrose, P.C., Marino, Ballybrack, co. Dublin, Ireland.
Walmesley, Very Rev. William Provost, Rector, St Joseph's College, Upholland, Wigan.
Walmsley, Thomas, Thistleton Lodge, Kirkham, Lancs.
Warrington, J. Francis, Walton Grange, Wakefield.
Washington Library of Congress (Herbert Putnam, LL.D., Litt. D., Librarian), Washington, D.C., U.S.A., *c/o Messrs Allen & Son, King Edward's Mansions, 14 Grape Street, Shaftesbury Avenue, W.C.2*
Watson, Charles Gordon, F.R.C.S., 82 Harley Street, W.1
Watson, Sir Thomas E., Bart., St Mary's Lodge, Newport, Monmouthshire.
F Wedgwood, Rowland Henry, M.A., Slindon, Arundel, Sussex.
Weetman, Henry Charles, Ryall House, Upton-on-Severn, Worcestershire.

Weld, Francis Joseph, 32 Weld Road, Birkdale, Southport.
F Westminster, His Eminence Cardinal Bourne, the Archbishop of, Archbishop's House, Ambrosden Avenue, Westminster, S.W.1
Westminster Public Libraries, see London.
Whitfield, Rev. Joseph L., M.A., D.S.O., C.F., c/o L. C. Lindsay, 82 Victoria Street, Westminster, S.W.1
Wigan Free Public Library (Henry G. Folkard, F.S.A., Librarian).
F Williams, Alfred, J.P., The Mount, Caerleon, Monmouthshire.
F Williamson, George Charles, Litt. D., Burgh House, Well Walk, Hampstead, N.W.3
Willson, Very Rev. E. Hilary, Prior, O.S.B., Fort Augustus Abbey, Inverness.
Wilmot, Hon. Alexander Count, K.S.G., St Monica's, Waterloo Green, Wynberg, C.F., South Africa.
Wimbledon, S.W.19—Wimbledon College, Very Rev. (Aston Chichester) Rector, S.J.
Wimbledon Public Library (Henry William Bull, Librarian), Wimbledon, S.W.19
F Windle, Sir Bertram C. A., M.D., LL.D., F.R.S., F.S.A., President, Queen's College, Cork.
Wisconsin State Historical Society, see Madison.
Witham, Philip, Whitmoor House, Sutton Park, near Guildford.
Wonersh (St John's) Seminary, Rt Rev. (Mgr Doubleday) Rector, Wonersh, near Guildford.
F Wood,* Herbert Maxwell, B.A., 12 Tankerville Terrace, Newcastle-on-Tyne.
Woodruff, Mrs Cumberland, St David's, Shorncliffe Road, Folkestone, Kent.
F Woollan, Joseph Henry, 44 South Park Road, Wimbledon, S.W.19
Worcester, Mass., U.S.A., Free Public Library (Samuel Swett Green, M.A., Librarian), *c/o Messrs Kegan, Paul, Trench, Trübner & Co., Broadway House, 67–74 Carter Lane, E.C.4*
F York.—Rev. Mother, I.B.V.M., St Mary's Convent, Micklegate Bar.
York Public Library (Arthur H. Furnish, City Librarian), Clifford Street, York.
Young, Smelter Joseph, Richmond Park, near Sheffield.

* Hon. Secretary, Durham and Northumberland Parish Register Society.

IN ABEYANCE DURING THE WAR.

Barrett, Lady Maud, Finches, Rustington, Sussex; *for Mother Prioress, C.R.S., Le Couvent Anglais, Bruges, Belgium.*
Brussels, Belgium.—Library of the Bollandists, 775 Boulevard Militaire.
Namur, Belgium.—Rev. Superioress General, Couvent de Nôtre Dame.

N.B.—Changes of address are to be notified to the Secretary.

NOTICES

Since the Annual Meeting in 1917 the following volume has been issued to Members entitled to it:—

Vol. XIX the first for 1915–16, on 18 Feb., 1918.

Vol. XX came out earlier. Vol. XXI for 1916–17, and Vol. XXII for 1917–18 are in the press. Vol. XXIII, also intended for the latter year and to be the "Seventh Douay Diary," has had to be postponed at the last moment on account of the illness of Canon Burton, requiring some rearrangement in the proposed programme, now under consideration.

Members are requested to call the attention of their friends to the Society and its work. A copy of the current subscription form is enclosed to members this year, in case they desire to introduce a friend. It shows also how back numbers are procurable by members desiring to complete a set; but it must be clearly understood that it is liable to alteration without notice.

Transcripts of interesting unpublished documents ready for the press, together with the loan of the originals for the purpose of collation, are invited. It is desired always to have material for half a dozen volumes ready for printing, as special donations for printing may enable the output of work to be increased.

Offers of help in transcribing documents, especially in the Public Offices in London, where the greater part of the documents relating to the country are stored, are invited. Parish priests are especially requested to provide exact copies of old registers in their custody, or give facilities for this being done.

Serious loss of time and expense have been incurred in some cases by manuscript being sent incomplete or modified. It is desired to impress on transcribers that papers should be *complete, without excisions, verbatim et literatim,* although they may not agree with modern ideas. Merit lies in their absolute integrity and identity, as far as modern printing will allow.

Members desirous of paying annual subscriptions through their bankers can be supplied with a "Banker's Order," on application to the Bursar or Secretary.

N.B. A few special portraits of the six priests connected with St Gregory's College, Paris, forming illustrations to Volume XIX, have been printed, and can be had by Members only on subscription of *7s. 6d.* post free.

TEN YEARS' OBITUARY

1908

F Threlfall, Henry Singleton, 8 Feb., æt. 53. *Bequeathed reversion of £500.*
Warrington, John, 18 April, æt. 87.
Radcliffe, Sir Joseph Percival Pickford, 3rd Baronet, K.C.S.G., 27 April, æt. 83.
F Dewar, Captain James Cumming, K.M., K.H.S., 29 April, æt. 51.
Allen, Rt Rev. Samuel Webster, Bishop of Shrewsbury, 13 May, æt. 64.
Woodroffe, James Tisdall, K.C.S.G., 3 June, æt. 70.
Day, Rt Hon. Sir John Charles, P.C., 13 June, æt. 81.
F Herries, Marmaduke Francis Constable-Maxwell, 14th and 1st Baron, 5 Oct., æt. 71. *First President.*
Hovenden, Robert, F.S.A., 23 Nov., æt. 78.
Chase, Rev. Charles Rose, M.A., 27 Nov., æt. 65.
Nevile, (Mrs) Mildred Frances, 24 Dec., æt. 58.

1909

Brand, James, K.C.S.G., 15 Jan., æt. 77.
Crook, Rt Rev. Mgr John Edward Canon, 2 March, æt. 71.
F Bodenham-Lubienski, Count Louis Pomian, 19 March, æt. 56.
Mostyn, William, 25 March, æt. 85.
Cary-Elwes, Valentine Dudley Henry, 16 June, æt. 76.
F Scrope, Simon Conyers, 16 June, æt. 51.
Ripon, George Frederick Samuel Robinson, 1st Marquess of, K.G. 9 July, æt. 81.
Jordan, Rev. Andrew, 27 July, æt. 44.
F Humble, John, 29 July, æt. 83.
Saunders, (Miss) Sarah, 15 Sept., æt. 73.
Hanmer, Anthony John, 2 Nov., æt. 92.
Chamberlayne, Major Tankerville James, 16 Dec., æt. 66.

1910

Powell, Vy Rev. Austin, V.F., 10 Aug., æt. 68.
Walton, Hon. Mr Justice (Sir Joseph), 12 Aug., æt. 64.
Beesley, Rt Rev. Mgr John, 18 Oct., æt. 76.
Nevill, Henry, 25 Nov., æt. .

1911

Gordon, Rt Rev. William, Bishop of Leeds, 7 June, æt. 79.
Gordon, Very Rev. James Watson Canon, 29 July, æt. 73.
Payne, John Orlebar, M.A., 10 Oct., æt. 75.
Norris, Very Rev. John, Cong. Orat., D.D., 18 Oct., æt. 68.
Greenway, Edward Maurice, 4 Dec., æt. 71.

1912

Washbourne, Robert Beale, 9 Jan., æt. 75.
Iles, Very Rev. Daniel Canon, L.D., 1 Feb., æt. 56.
Ward, Samuel Francis Bernard, 15 July, æt. 60.
F Blount, Alfred John, 26 Sept., æt. 66.
Worth, Henry George, M.A., 2 Oct., æt. 60.
F Wilcocks, Horace Stone, M.A., 29 Oct., æt. 77.
Luck, Rt Rev. Mgr Thomas Canon, 16 Nov., æt. 75.
Gerard, Rev. John, S.J., 12 Dec., æt. 72.

1913

Ashburnham, Bertram Ashburnham, 5th Earl of, G.C.P., G.C.M., Jan., æt. 72.
Worsley-Worswick, Major William, 16 July, æt. 75.
Pilley, Walter, 22 Aug., æt. 65.
Carr, Rt Rev. Mgr James Canon, 9 Nov., æt. 86.

1914

F Andrew, William Raeburn, 7 Jan., æt. 60.
Robinson, (Miss) Elizabeth, 9 Jan., æt. 92.
Turner, Rt Rev. William, Bishop of Galloway, 19 Jan., æt. 69.
F Matthews, John Hobson, 23 Jan., æt. 56.
F Jerningham, Sir Hubert Edward Henry, K.C.M.G., 3 April, æt. 71.
F Dolan, Rev. John Gilbert, O.S.B., 10 April, æt. 61.
Fitzsimons, (Miss) Mary, 22 April, æt. 61.
Eager, Rev. James, 17 Oct., æt. 63.

1915

Eyre, Lewis Joseph, 7 Jan., æt. 91.
Bingham, William Alexander Baring, 8 Jan., æt. 56.
McKenna (Miss) Alice, 5 Feb., æt. 68.
Goldstone, (Mrs) Frances E., 10 March, æt. 81.
Boothman, Charles Thomas, 20 April, æt. 71.
Coulston, Rev. Gabriel, D.D., 17 May, æt. 85.
Cheney, Alfred Denton, 17 May, æt. 66.
F Spedding, Carlisle James Scott, 26 Nov., æt. 63.
Acton, Margaret (Mrs Vincent A.), 30 Nov., æt. 78.

1916

Trappes-Lomax, John Byrnand, 25 Jan., æt. 39.
Berkeley, Major Henry William, 30 Jan., æt. 84.
Eyston, John Joseph, 7 June, æt. 49.
Mostyn of Talacre, Anna Maria Lady, 11 June, æt. 65.
F Shipley, Orby, M.A., 5 July, æt. 84.
Semmes, Raphael Thomas, 4 Sept., æt. 59.
Ferrers, Henry Ferrers, 23 Sept., æt. 68.

1917

Chichester, Major Henry Augustus, 21 Jan., æt. 70.
F Norfolk, Henry Fitzalan Howard, 15th Duke of, Earl Marshal of England, K.G., P.C., G.C.V.O., 11 Feb., æt. 69. *Second President.*
Anderson, Yarborough, 22 April, æt. 66.
O'Dwyer, Rt Rev. Edward Thomas, Bishop of Limerick, 19 Aug., æt. 75.
Carr, Richard Marsh, 22 Sept., æt. 75.
Caswell, Very Rev. John Canon, 11 Nov., æt. 71.

1918

Stapleton, Hon. Mrs Bryan (Mary Helen), 10 April, æt. 80.
Lindsay, Very Rev. Mgr Claud Reginald, 23 July, æt. 56.
Fenton, Rt Rev. Patrick, Bishop of Amycla, 23 Aug., æt. 81.

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